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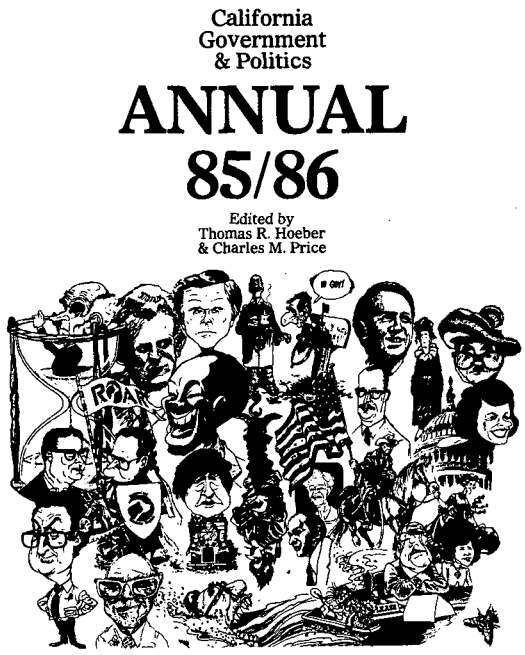

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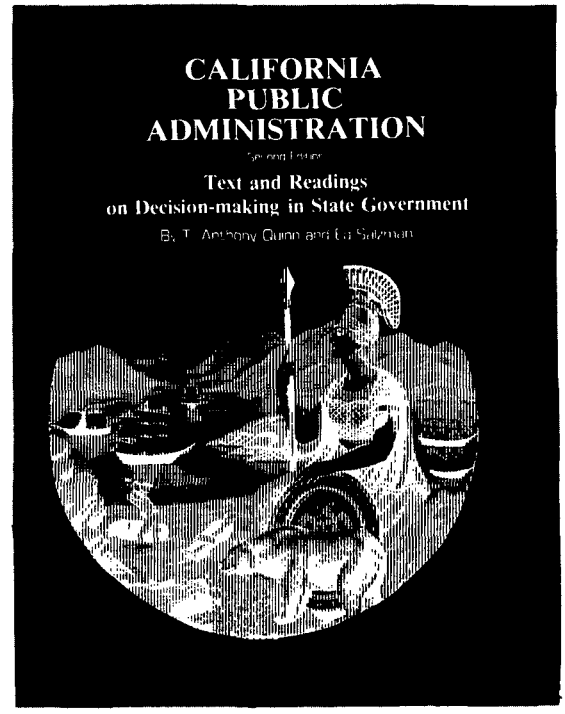

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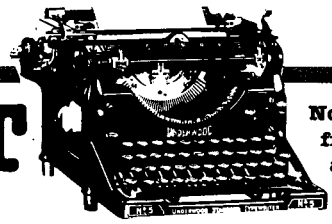
UP FRONT



Notes and Items from Contributors and the Journal Staff.

Assemblyman Steve Peace of Chula Vista may have had his legislative career set back at least a few years when he lost his temper at fellow Democratic Senator Alfred Alquist of San Jose during the closing days of the legislative session. First reports had Peace calling Alquist a "senile old pedophile" after the senator, chairman

of the powerful Senate Finance Committee, killed one of Peace's bills. Alquist responded in language unfit for a family publication and by having his Senate colleagues temporarily kill every Peace bill in sight. The dispute continued in press releases the next day. Peace tried to make up by claiming he had been misheard and actually only said Alquist was "pitiful." Alquist said Peace should "immediately seek psychiatric help."

By the middle of the session's last week, Peace had apologized, things looked like they might smooth over and the Senate was again willing to pass Peace bills. But Peace again managed to infuriate Alquist by missing a conference committee on an Alquist bill to further construction of a low-level nuclear-waste disposal site — a bill that was the source of some of the original conflict between the two lawmakers. Peace has been one of the principal roadblocks to the bill's passage because he fears it might be put in his district or the district of fellow Democrat Steve Clute of Riverside. Democrats amended the bill to make sure the waste ends up in a San Bernardino County area represented by Assembly Republican William Leonard of Redlands and Republican Senator H. L. "Bill" Richardson of Glendora.

Only 32, Peace, whose previous claim to fame is as producer of the film *Attack of the Killer Tomatoes*, figures he's too young to have his career totally ruined by Alquist, who is 77 but has an excellent memory. "I'll just have to outlive him," he is reported to have said. Others, however, weren't so sure Peace would last that long. "Just wait until Alquist finds out that pedophile doesn't mean foot doctor," said one of their fellow legislators.

Peace wasn't the only one having trouble during the Legislature's final week. Republican Assemblyman Dennis Brown of Orange also found himself on the receiving end of the wrath of state senators, who apparently were tired of the fact that Brown — one of the most conservative lawmakers — has a tendency to vote against a lot of bills, especially those that call for spending state money. He had to turn one of his bills over to Assemblywoman Doris Allen of Cypress in order to get it passed. But for Brown, the punishment by senators may not have much effect. One of the least prolific authors, he only had one other bill pending, and that cleared the Senate without difficulty. Will Brown change his naysaying because of the reaction? "Oh, no. If people expect me to vote differently than my convictions, they're asking for too much," Brown said.

Who says the state's lawyers aren't capable of policing their own ranks? Why only last month the state Supreme Court — perhaps overreacting to complaints by some legislators that the Bar is a trifle slow or lax when it comes to regulating its own — voted to disbar an attorney merely because, four years ago, he killed his wife by shooting her 10 or 11 times. The high Court, which has final say on disciplining lawyers, had to overrule the State Bar, which recommended that the man be suspended for 2.5 years, put on probation for 2.5 years and take the Bar's ethics examination. The Court noted the lawyer had "displayed a dangerous volatility which might well prejudice his ability to effectively represent his clients' interest."

If you read only the press releases, you'd think that Superintendent of Public Instruction Bill Honig was the best thing to happen to mass education since the Guttenberg press. Last month, Honig's own press office made him solely responsible for education reform in California — not withstanding efforts of the state Legislature and Governor Deukmejian. This month to announce the publication of Honig's book, "Last Chance For Our Children," another release said he started as an "unknown visionary" who took on the "thankless job of head of California's beleaguered schools" and so quickly and successfully implemented creative school reforms that he is now known as the nation's "most important man in public education." That golden laurel was bestowed by Nan Hohenstein, a San Francisco publicist. Not everyone is singing Honig's praises, however. Honig was recently chided by Nathan Shapell, chairman of the Little Hoover Commission, for not moving fast enough to improve the state's financial oversight of local schools and for being overly optimistic about his ability to deal with the problems.

Former Assemblyman Bruce Young may become a legend in his own time. Young, who retired last year to become a lobbyist after eight years representing parts of Los Angeles and Orange counties, has been "honored" by the public-interest group California Common Cause by having the "Bruce Young Memorial Award" named for him. The group traditionally gives "flack-catcher" awards to lobbyists, legislators and staff who have fought the good fight for environmental or public-interest causes. The Young award, however, goes to quite a different type of person. "The term 'Bruce Young bill' became synonomous around the Capitol for a certain kind of bill. You know, a 'bag bill,'" says Common Cause director Walter Zelman, referring to legislation which seems to have as its primary purpose the raising of large campaign contributions. Young agreed to have the award named after him because, in Zelman's words, "He was convinced it

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showed a certain, grudging admiration. It wasn't going to be given to just anyone but to someone who could really hurt you." He added that the contenders were chosen, "not because they were the worst votes, but because, given their constituencies, they were the biggest disappointments." The nominees were: Senators Ralph Dills of Gardena, John Foran of San Francisco, Joseph Montoya of Whittier and Alan Robbins of Van Nuys; and Assemblymen Lou Papan of Millbrae and Steve Peace of Chula Vista. The winner: Alan Robbins. Was the election close? "Not too."

California Senator Alan Cranston got a strange telephone call a few months back. A reporter wanted to know if the doctor who operated on the senator's lung in Christmas 1983 was a Dr. Billig.

"Yes," responded a puzzled Cranston, who had been treated for a case of pleurisy.

"How do you feel?" the reporter asked.

"Fine, why?" Cranston replied.

The reporter then told Cranston that Commander Billig, former head of heart and chest surgery at the Bethesda Naval Hospital in Maryland, was being charged with four counts of involuntary manslaughter in connection with the deaths of four patients, and 28 counts of dereliction of duty in the case of 28 patients.

(James R. Carroll, Washington)

The state's GOP held an unusually dull September convention in San Diego. There was little in the way of Rose Bird-bashing, (a popular party activity), and the party's conservatives and slightly-less-conservatives decided to leave each other alone. So U.S. Senator Alan Cranston took advantage of an otherwise-bored press corps to hold his own press conference at a hotel just down the road. Cranston started the event by assuring the assembled press, "I happen to be in San Diego today only by coincidence," a remark met with a loud "aw" from his audience. A somewhat sheepish-looking Cranston stuck to his guns and invited reporters to check with his staff to assure themselves the appearance had really been planned long ago. No one did.

Potential challengers to Cranston were about the only Republicans trying to get attention at the GOP meeting. With a field of close to a dozen potential candidates, getting noticed wasn't so easy. Going after the "cute" vote, state Senator Ed Davis of Chatsworth decided he would unveil some startling endorsements. The first was from Reagan, only it wasn't the president, it was Fred Reagan of Sacramento. The second was from "Bobbie," which at first glance looked like might have come from Congresswoman Bobbi Fiedler of Northridge, who is also seeking the Senate nomination. But that flyer turned out to be from his wife, Bobbie Davis, who said her husband should be supported because he is the "only candidate in the race who tells me he loves me every night before I go to sleep." Bobbi Fiedler said she definitely didn't do that.

Speaking of Senator Davis, he may be a little more hip than many Capitol watchers might guess. Davis was pitching a new death penalty initiative to reporters when he mentioned that he'd recently been a victim of a burglary. Seems Davis and his wife were vacationing at a friend's house when their bedroom was hit. Neither was awakened, but Senator Ed said he would have come out blasting if he had been. That is if he'd been able to get up. The former LA top-cop admitted he'd been sleeping in a sloshy waterbed.

(John Iander, KOVR-TV, Sacramento)

Our Larry Thomas story-of-the-month this time centers on the appearance of the governor's press secretary at a dinner meeting of Capitol Network — an all-female organization that includes legislators, top state officials and lobbyists. The group's dinners feature an all-male serving crew, who are also legislators, top state officials and lobbyists. Thomas, dressed in serape and sombrero, had the most spectacular serving *faux pas* of the evening, an area of heavy competition, when he managed to splatter an entire ice cream dessert on the floor. There were no reported injuries.

Keeping in mind the old adage about people in glass houses, we nevertheless can't resist this little item from Vice President and Mrs. George Bush's September 10th itinerary in Sacramento: "(Mrs. Bush's) remarks at the luncheon will highlight the California Literarcy Program, and growing problems of illiteracy in the United States."

(Joe Esker, Sacramento)

Speaking of glass houses, last month we reported in "Capitol Month" that former Board of Equalization member George Reilly had passed away at age 82. We said that Reilly had served longer than any elected official. Not quite, corrects Donald Page of Placerville. According to Page, Reilly had the longest tenure in the same office. The record for longest tenure — one that grows each day — belongs to Congressman Augustus Hawkins of Los Angeles, who split his time between the state Legislature and Congress. We should have known that; we made the same mistake when compiling "California Political Trivia" (*CJ*, May 1985). And, yes, we had to correct it that time, too.

Take heart, ye frogs of Asilomar! You are about to be avenged. The men allegedly responsible for your demise will soon feel the wrath of California voters — that is, if enough of those voters sign a recall petition against Governor George Deukmejian and state Senator Henry Mello, a Watsonville Democrat. The governor and Mello are named in recall drives launched by Michael Bogatirev of Pacific Grove and, among other things, are charged with failing "to preserve the Asilomar frog ponds from developers." To get the governor's recall to the ballot, Bogatirev must gather 945,204 signatures statewide by January 30, 1986. Mello's recall requires 45,366 signatures from the senator's 17th District, also by January 30th.

GOP Assemblyman Ernest Konnyu, he of Saratoga, recently announced the winners of the 1985 Barracuda Awards. The so-called honor goes annually to the lobbyist, executive branch leader and legislator deemed "hardest to deal with" by a panel of experts. Actually, since 1981 the awards banquet has been Konnyu's excuse for a summer fund raiser. The 1985 winners were: Executive — Health and Welfare Secretary David Swoap, who edged out Governor Deukmejian and Lieutenant Governor McCarthy; Legislator — Assemblywoman Maxine Waters, a Los Angeles Democrat who became the first woman recipient; and Lobbyist — Joe Gonsalves.

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento 95814. Sorry, submissions cannot be returned.*

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— Felix Frankfurter

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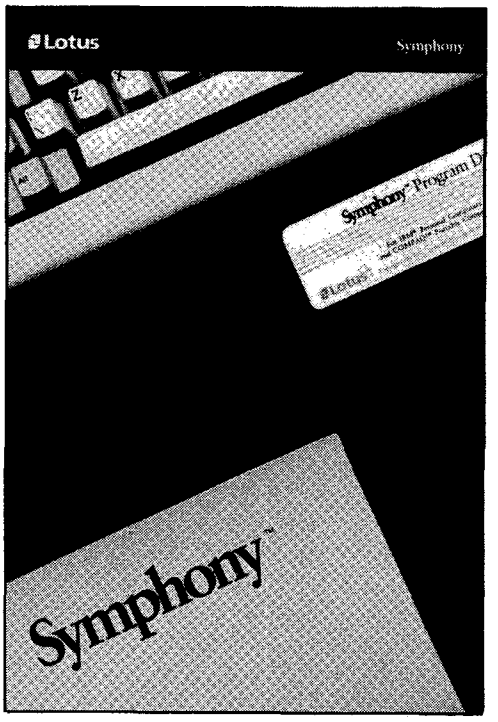

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REGULATING PESTICIDES

Is Food & Agriculture too friendly with industry?

By RICK RODRIGUEZ

The fourth of July weekend was anything but a time to celebrate for the state Department of Food and Agriculture. Some 500 people along the West Coast reported suffering from nausea, vomiting and diarrhea after chomping down the nation's favorite Independence Day dessert — watermelon.

Investigators suspect the illnesses were caused by illegal applications of a powerful pesticide to watermelon fields by a few growers eager to cut their production costs. Coming on the heels of the Jalisco cheese tragedy, in which tainted products are believed to have caused 85 deaths, the watermelon poisonings shook public confidence in the food supply and sent the state's $30 million watermelon industry into a nosedive.

The unfortunate episode also focused new attention on the decades-old debate over the safety of farm chemicals.

"I would be less than candid to say a watermelon incident didn't make it more difficult to lobby for our position," says George Soares, a lobbyist for pesticide industry groups. "It just creates more of a perception problem than we already have."

Critics claim that part of the problem — real or perceived — comes from the fact that the pesticide industry is being overseen by the Department of Food and Agriculture and county agricultural commissioners, whom they see as agribusiness cheerleaders.

"The system is fraught with conflicts of interest," said William Monning, a Salinas attorney who specializes in farm

Rick Rodriguez is a Capitol correspondent for The Sacramento Bee.

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chemical cases. "Agricultural commissioners are supposed to be the prosecutors, the guardians of public safety, but they're eating breakfast, lunch and dinner with people from the industry that they're supposed to regulate."

The use of pesticides in California's $14 billion agricultural industry is booming. In 1984, even with the federal Payment-in-Kind program taking big chunks of land out of production, 608,411,743 pounds of regulated chemicals were sold in California. More than half — 310,289,990 pounds — was put on California fields and crops.

Food and Agriculture Director Clare Berryhill is adamant that abuses, such as illegal pesticide applications, must stop. "I'm going to be tougher on those guys than someone who's not in agriculture because I've got a potential financial interest in agriculture myself. . . . Every farmer has to think that way," says Berryhill, who has a farm near Modesto.

Checks and balances

Yet the critics say that type of reasoning — cast in terms of economics rather than public safety or worker health — is an indication of why a "system of checks and balances" is needed.

"A minimum thing the governor ought to do is allow a number of other agencies to have a review of CDFA's past decisions for their impact on air, water, public health and workers," says Ralph Lightstone, an attorney for the California Rural Legal Assistance Foundation.

Governor George Deukmejian has resisted all such suggestions. He has strengthened CDFA's role by designating it as the "lead agency" in pesticide enforcement. Moreover, he has excluded pesticides from the jurisdiction of his proposed new Department of Waste Management, which would oversee regulation of toxic materials in the state.

Soares, the chemical industry lobbyist, says his clients would vehemently oppose any major change in who does the regulating. "We cannot be bludgeoned into allowing these changes to take place to satisfy someone's perception," he says.

Berryhill agrees. "I still firmly believe the (agriculture) department is the department that can most effectively do the job. You're going to have fragmented enforcement if you go to health services."

Although the agriculture department made the final decision in the watermelon crisis, the state Department of Health Services did, in fact, participate, which led to strong enforcement action. The state ordered all watermelons off grocery store shelves until the extent of the misuse could be determined. The order drew praise from longtime critics of the agriculture department and mixed reactions from farm leaders who recognized that hundreds of innocent growers would be badly hurt.

Dan Haley of the Western Growers Association, which represents most of the state's watermelon growers, says some farmers felt that the order was "a bit premature" and need-

Pesticides and pretty produce

To keep California's agricultural cornucopia primed, growers in 1984 poured on 310,289,990 pounds of insecticides, herbicides, fungicides and other chemicals. Nobody knows whether the toxic deluge is really necessary. Neither is it fully known what amounts of the pesticide residues slip past the California Department of Agriculture's produce-screening program and are consumed by the public. Studies predating the recent watermelon scare indicate cause for concern. Eight years ago Dr. Ephraim Kahn, chief of the Epidemiological Studies Laboratory of the California Department of Health, warned about the long-term dangers of chronic exposure to pesticides. Six years ago the federal Office of Technology Assessment reviewed more than 600 studies and warned that chemical contamination of the nation's food supply is a potential time bomb.

Concerned groups in California say the state's growers, who produce half the nation's fruit and vegetables, could reduce the threat if "cosmetics" had a lower priority. Their premise is that a significant portion of the pesticide load is applied mainly to ensure insect- and blemish-free, picture-pretty produce. They consider a few easily removed brown spots or insects preferable to a diet of contaminated fresh and processed foods.

Opposing factions disagree about what "cosmetics" means in this context. Farmers have their own perceptions. Take the case of an orange grower in the Central Valley. He looks to his banker, not to a dictionary, for a definition. "Grade 1" fruit brings a higher price than "Grade 3." So he applies anti-thrip pesticides and other chemicals to achieve a large, top-dollar crop — sometimes right up to the time of harvest.

The produce standards set by federal and state agencies relate mainly to size, maturity, quality and allowable insect infestation. "Cosmetics" is probably a reflection of the quality criterion.

Behind these regulatory standards are the marketplace pressures. Wholesalers and processors say they have to respond to the retailer's demand for perfect or near-perfect produce. Retailers claim anything less ends up in the dumpster. Bankers bring the issue full circle. They are nervous about granting loans to growers who follow unconventional farming practices like Integrated Pest Management (IPM), which gives pesticides a back seat in favor of other alternatives.

But the "cosmetics" picture is changing. Many growers are jumping off the pesticide treadmill because of skyrocketing chemical costs (now as high as $600 a gallon). Furthermore, harmful insects are becoming immune to even the latest and deadliest poisons the chemists can concoct.

Some farmers have kicked the pesticide habit and raised produce in accordance with California's Organic Food Act of 1980. Their crops are welcomed by increasing numbers of statewide retail markets which sell both conventionally-grown and organically-grown produce. These markets report an increasing consumer demand for organic fruits and vegetables. They also report no "cosmetic" differences.

Hal Rubin

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lessly put innocent growers in financial jeopardy. It's a decision he blames on Health Services, which "tends to jump the gun a little," rather than on Berryhill.

California Farm Bureau President Henry Voss noted, "Clare Berryhill is exactly correct when he says violators of pesticide regulations must be dealt with strongly. Berryhill's actions are in the best interest of agriculture, but let's hope that all California agriculture has learned a lesson."

Other views

Apparently, there were some growers who did not. In August, Monterey County Agricultural Commissioner Richard Nutter announced that aldicarb — the same potent pesticide suspected of causing the watermelon poisonings — had been illegally used on broccoli and cauliflower fields near King City.

None of the tainted crop reached market. If it had, the pesticide would have been absorbed by the vegetables, making the chemical undetectable by testing and leaving consumers once again as potential guinea pigs. Such illegal pesticide use could have saved the growers an estimated $40 to $60 an acre by reducing the need for future pesticide applications, agricultural officials said.

In this case, however, the gamble could prove costly to two Monterey County farming companies. In September, Monterey County District Attorney William Curtis filed lawsuits collectively seeking $88,000 in civil penalties from two companies he alleges illegally used the pesticide on 23 broccoli fields and three cauliflower fields.

The incident could be costlier if the courts decide the tainted crops must be destroyed. Nutter has estimated destroying the crops could cost the defendants up to $4.25 million.

Such strong enforcement action, however, has historically been the exception rather than the rule.

While critics acknowledge that California's pesticide regulatory program is probably the best in the nation, they point out that violators are rarely penalized with much more than a slap on the wrist — a fine of a few hundred dollars or a simple warning. "It's like driving up and down the highway and the highway patrol officer just gives you a piece of paper that says you violated the law," says CRLA's Lightstone. "Nothing is done."

The state Food and Agriculture Department's own statistics seem to back up Lightstone's contention. In the 1983-84 fiscal year 1470 notices of violations were issued and 18 criminal complaints filed. Jim Wells, chief of pesticide enforcement for the state, acknowledges, "There are few prosecutions. But that's not uncommon for this type of regulatory framework." Wells also adds that the statistics — compiled from data submitted by county agricultural commissioners — are "a bit misleading."

For example, one county agricultural commissioner might issue a notice of a violation for a minor infraction while another commissioner may choose to handle a similar incident with a verbal warning, skewing the statistics, he said.

But even Berryhill acknowledges that in some rural counties — not all, he stresses — district attorneys fail to prosecute cases turned over to them by his department because of "local politics."

"We're like a cop who picks up a bank robber and takes a case into a jury who turns him loose," Berryhill complains.

Even when there are convictions or admissions of fault, the penalties have been so light they could be considered merely a cost of doing business. A 1981 case in which 41 farm workers were poisoned by pesticides near King City, for example, resulted in a $200 fine against a pesticide applicator who pleaded no contest.

One of the largest fines to date, $3000, was levied against a Salinas labor contractor. Thirty-four of his workers were poisoned in 1982 after they were ordered by a crew boss into a field before pesticide residues had reached safe levels.

In light of the watermelon scare, Berryhill says he will ask that 20 new positions be added to next year's budget to beef up pesticide enforcement. But state and county officials will still need peer policing — growers turning in colleagues who they suspect of illegally using pesticides — in order to be more effective, he said.

The watermelon poisonings have also nudged the Department of Food and Agriculture into supporting bills allowing stiffer penalties for pesticide violations, something the department has historically resisted. Currently, pesticide violations are misdemeanors criminally punishable by a $1000 fine and/or six months in jail. Agricultural commissioners have no power to levy fines without going through the district attorney or state attorney general.

Another option available to deal with violators of pesticide regulations is to file for civil penalties under the Business and Professions code. Under that approach violators can be fined $2500 for each individual infraction. That is the approach taken by the Monterey County district attorney in the broccoli case and is one Berryhill said he is contemplating using if he prosecutes watermelon growers.

Under a bill by GOP Assemblyman Wally Herger of Rio Oso, criminal penalties would be increased to a fine of up to $5000 for first-time violators of pesticide regulations and $10,000 for repeat offenders with the possibility of felony prosecutions. In addition, after initial reservations, Berryhill's office is backing a bill by Democratic Assemblyman Sam Farr of Carmel that gives agricultural commissioners the power to levy fines of up to $500 without going through law enforcement officials.

Farm workers

Meanwhile, innocent watermelon growers are hoping that their big losses will be covered by state taxpayers. They are backing a bill by Assemblyman Norm Waters, a Plymouth Democrat, providing up to $8 million from the state's general fund to cover their losses.

At any rate, the Western Growers' Haley notes the watermelon crisis, "brings to the forefront the severity of consequences of illegal use of pesticides. It could ruin an entire industry."

From Monning's perspective, a watermelon-type incident "brings attention to the potential seriousness of mismanagement of pesticides." But the Salinas attorney quickly adds, "It also distracts from the more day-to-day problems of rural communities. We always see a larger outcry when it's consumers who are affected. For every consumer affected, there are dozens of farm workers who have handled the crop."

Farm workers have long been at the center of arguments to transfer enforcement of pesticides to the Department of Health Services or the Department of Industrial Relations.

Numerous bills to shift the enforcement of pesticide rules to Cal-OSHA, a division of the Department of Industrial Relations, have been sponsored by California Rural Legal Assistance and carried by urban liberals like Democratic Senator Nicholas Petris of Oakland and Assemblyman Art

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Agnos, a San Francisco Democrat.

But the bills have routinely been referred to the Legislature's agriculture committees, dominated by unconvinced farm-belt representatives.

Agriculture officials say there is no need for a change. As evidence, they point to an illness rate of only one reported sickness per week among workers in a state with 70,000 farms. Even critics of California's pesticide program admit that the state's agriculture department has done more for worker safety than the federal government or other states.

But there are counter-balancing arguments.

Over the years, the Department of Health Services has been estimating that only a tiny fraction of pesticide-poisoning cases are reported by workers, a large percentage of whom are in the country illegally and want to do nothing to draw attention to themselves. For instance, a 1981 Tulare County Health Department study, considered one of the best among a dismally low number of surveys on farm worker health, found that only 22 percent of 426 workers who thought they suffered chemical exposure saw doctors. Most didn't report the incidents to their employers.

Within the past few months, farm labor leader Cesar Chavez has also seized upon the public's heightened awareness and concern over the effects of chemicals in his attempts to win support for his latest boycott of California table grapes. During an East Coast tour this summer, Chavez charged that growers are "poisoning" grapes with pesticides.

The charge drew an angry repudiation by grape industry representatives, who, until the pesticide charge, had largely ignored the United Farm Workers' boycott propaganda.

There are also indications that pesticides will play a role in the 1986 gubernatorial election. Los Angeles Mayor Tom Bradley, a leading potential candidate for the Democratic nomination, sharply criticized Deukmejian's handling of the watermelon crisis.

Despite the renewed focus on pesticides, Democratic Assemblyman Lloyd Connelly of Sacramento says flatly that there will be no major changes which shift the regulatory power away from the agriculture department. "The reality is that there are not sufficient votes in either the Senate or Assembly," says Connelly. "So the question is moot."

And more than two months after the watermelon scare, Food and Agriculture, despite Berryhill's claim he would "throw the book" at growers who used illegal chemicals, had yet to file an action against any melon grower, again raising questions about the department's willingness — or ability — to crack down on illegal pesticide use. Department spokeswoman Jan Wessell said charges would be filed, adding that "these things are sometimes more complicated than they seem. I can assure you, no one over here is dogging it."

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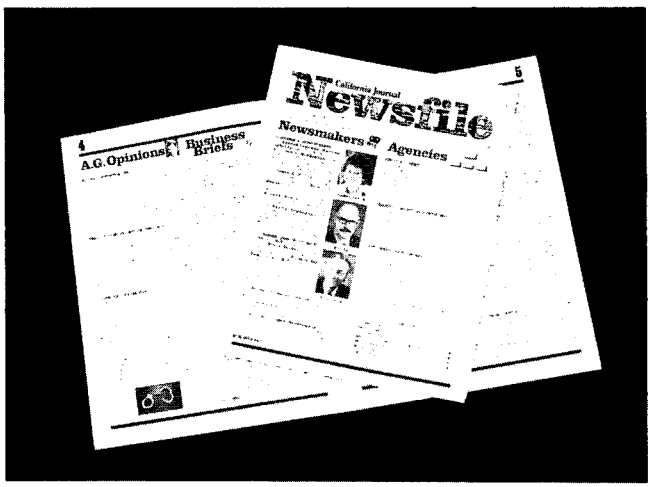

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August 21, 1985

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THE ODD COUPLE

Willie Brown and Pat Nolan keep harmony in the house

By RICHARD ZEIGER

They are in many ways the Legislature's "odd couple:" Democratic Assembly Speaker Willie Brown and Republican Minority Leader Pat Nolan. Brown, a self-made man from a poor Texas family, worked his way through law school to become the senior — and one of the most liberal — members of the Assembly with more than 20 years service. He is small, svelte, and dresses impeccably in now-famous $1000 suits. Nolan, who grew up in the affluent San Fernando Valley and attended the University of Southern California, has been pushing his conservative philosophy for less than seven years in the Assembly. He is a large, hyperactive man who somehow manages to look rumpled despite the fact that he, too, dresses well. (see "The Likeable Caveman,"*CJ*, May 1985).

But for all their differences, these two have reached an understanding about how the Assembly should be run that has left the lower house more tranquil than it has been in years.

The two leaders have in common an understanding of political power, how it's used in the legislative arena and how they can wield it to keep them-

Photo by Rich Pedroncelli

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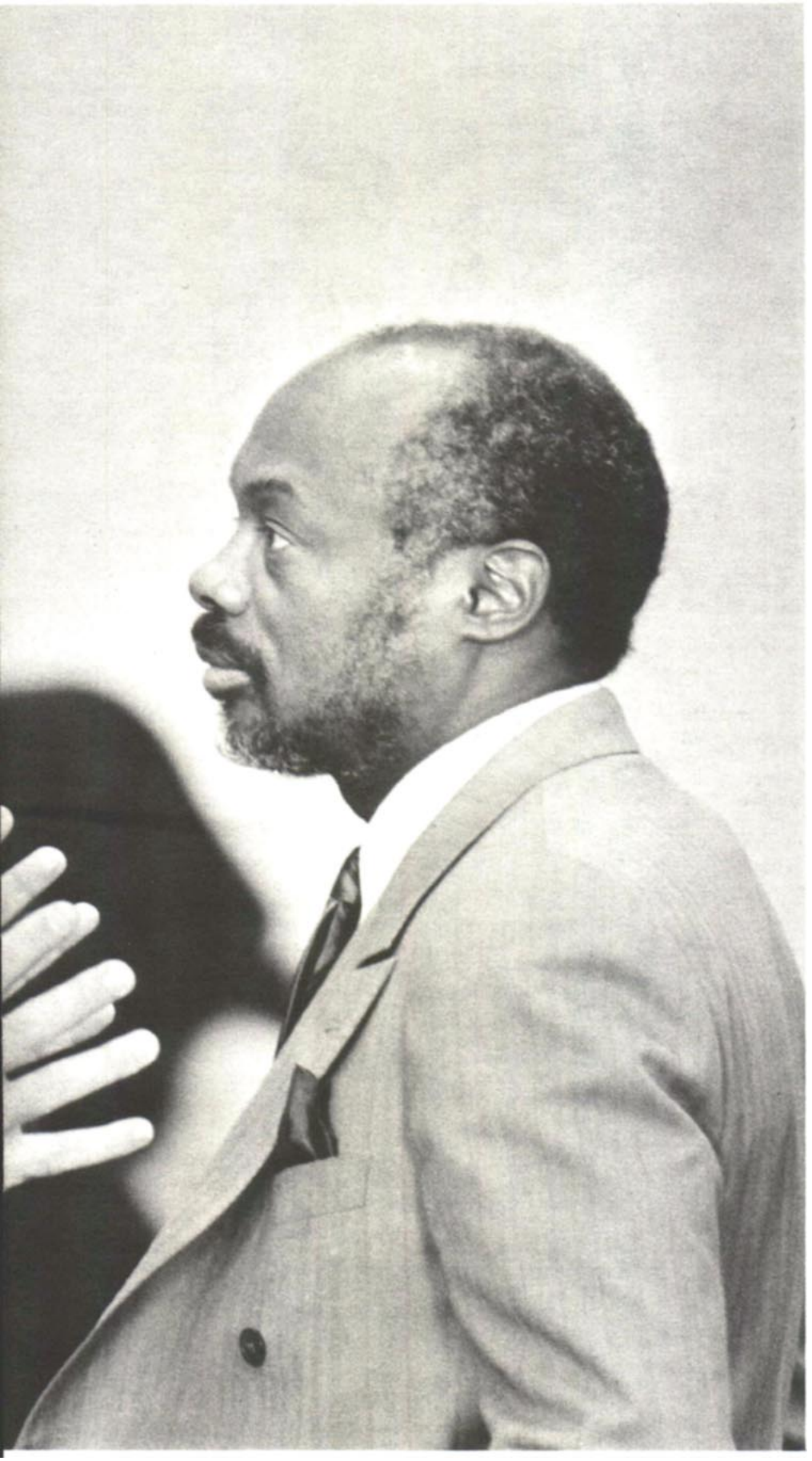

selves in leadership positions. The fact that they hold dramatically different political views has apparently made it easier for them to communicate. Each respects the depth of the other's convictions and realizes that attempts at change are pointless.

The boosters of both men say the cooperative tone has benefited the state. The Assembly's work now proceeds with less rancor and partisan carping which characterized the house after a crop of more aggressive young Republicans — including Nolan — was swept into office on the coattails of property tax-slashing Proposition 13 in 1978. Although political differences still exist, lawmakers from both sides get more done because, at least, the two parties have agreed to fight over issues and not over the rules. The understanding between the two leaders is nothing more than a return to the way the Assembly functioned in earlier, more tranquil days.

However, detractors of Brown and Nolan say the duo has sold out their political principles in order to shore up their own leadership posts. The true purpose of the understanding is to keep Willie Brown and Pat Nolan at the head of their respective caucuses, these critics say.

An informality

This detente between the two men is apparently informal — at least neither will admit anything more than that it exists — and they disagree on all the details. But the basic outlines are clear to both men:

Nolan has agreed to put a stop to dilatory parliamentary tactics on the Assembly floor when he does not have enough votes. For example, although Republicans in June proposed amendments to the state budget prepared by majority Democrats, they made no attempt to hold up budget passage until their demands were met — a tactic common in previous years. He has also stopped caucus efforts to undermine Brown's leadership, including dropping the GOP's efforts to implement Proposition 24 — the measure by gadfly Paul Gann that would have drastically reduced the power of the Assembly speaker. Some say he has even agreed to give up the right to challenge Brown by reviving on the Assembly floor bills killed in the speaker's hand-picked committees, although Nolan denies that is the case, and one such attempt was made unsuccessfully on the last day of the session. Republicans agreed also to avoid what

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A TOUCH OF DISCORD

Photo by Jim Gensheimer, *San Jose Mercury News*

There are limits to this new era of harmony. They were discovered on the last day of the legislative session when disagreement between the Assembly's Republicans and Democrats caused the defeat of the governor's plan to reorganize the state's fragmented toxic-waste control programs.

In the end, it was political philosophy — and the insistence by each side that it could only be pushed so far — that resulted in a short-term breakdown of the cooperative spirit that has marked the 1985 legislative year. The discord came on the closing night of the legislative session when the last minute crunch of bills and lack of sleep — the session ended after 5:30 in the morning — frayed tempers and altered judgement.

Democrats were insisting Republicans give them enough votes to approve $3 million to replace federal cutbacks in medical care money for 22,000 of the state's aged, blind and disabled. But the bill, by the Democratic chairman of the Assembly Rules Committee, Lou Papan of Millbrae, also contained a provision that would automatically adjust the size of this additional payment when the cost-of-living index changed. These automatic indexes have been an anathema to Republicans, who see them as a major cause of annual increases in the state's budget. Although the Republicans have not succeeded in eliminating the cost-of-living increase provisions in existing laws, they have vowed to allow no new ones. The measure wasn't made any more palatable by the fact that the author was Papan — known as "the enforcer" because of his sometimes heavy-handed way of dispensing leadership decisions disciplining fellow Assembly members. Democrats tried to leverage Republican votes by saying they would not vote for Deukmejian's toxic reorganization plan unless Papan's bill also was approved.

Neither side would blink, and the session ended without approval of either measure. Assembly Minority Leader Pat Nolan of Glendale said his caucus has ended Papan's "reign of terror." "We've finally had enough. We're never going to be intimidated again," Nolan added. Papan responded that the Republicans were led by a "bunch of crazies."

But the last minute harsh language stands in marked contrast to the spirit that characterized most of the session, a cooperativeness which provided Governor George Deukmejian with a series of legislative victories that should aid his reelection effort next year. Deukmejian won approval on the last day of the session for his long-sought program requiring many welfare recipients, for the first time, to work for their state checks. The governor had to agree to demands by Senate President pro Tempore David Roberti of Los Angeles to provide more than $100 million for after-school child care programs, a program that may turn out to be popular with the state's middle-class voters. He also won approval for his crash program to provide more beds in the state's overcrowded prisons, although he had to give up plans to build a prison in downtown Los Angeles.

Deukmejian may even be able to turn his losses against the Democrats. Now if he is criticized for doing little to stop toxic pollution in the state, he can say it is because Democrats refused to give him the tools he needs to get the job done. He took that approach at a press conference the day after the session ended when he called Democrats "totally irresponsible and arrogant" for insisting his reorganization plan be tied to the additional medical care money.

And by the time the Legislature returns next January to complete the second year of its two-year-long session, the harmony that lasted for all but 90 minutes of the legislative session may be restored. Before the final impass, leaders of both parties in the Assembly took time out to praise each other.

"Of all my 21 years here," said Speaker Willie Brown, "this has been the single best year working with the minority party."

Richard Zeiger

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to Brown was the biggest insult of all by voting for him as speaker rather than withholding their votes or casting them for their own leader, as in past years.

Brown, for his part, has agreed to let Republicans author some major legislation which in the past would have passed only with a Democrat as lead author. He has appointed Republicans to head four of the Assembly's 30 standing committees and has given them vice chairmanships of the others. He has reined in the power of some of his committee chairmen to arbitrarily hobble Republican legislation. Most important, he has turned over to Nolan the power to select which Republicans will be appointed to the various committees and to discipline his own caucus members by controlling office space and similar perquisites.

"I think it's a good deal for both sides," said one Assembly Democrat. "They get more control over their own caucus and we don't have to put up with a lot of the Prop 13-babies' pettiness."

Brown and Nolan, not surprisingly, think the new atmosphere is wonderful. "We will have our fights. But we both have a commitment to the house that exceeds the need to win every time. I'm confident that the cooperation will continue," said Brown. "Our discussions have been around harmony and peace, and a quality work process. Peace and good will are the derivatives of good leadership."

"I've agreed to cooperate on the nonpolitical issues," Nolan said. "We have a basic agreement that things will be done fairly. We've stopped the petty, personal attacks that once took place. It's made it a better place for everyone to work." The disagreements, when they occur, "will not take place in public."

Nolan's detractors see a particular irony in his current penchant for harmony. Before he became minority leader, he was viewed as one of the most obstreperous members of his caucus, leader of a group known as the "cavemen" because of their conservative views. That faction frequently criticized former Assembly Minority Leader Robert Naylor of Menlo Park for being too cooperative in his dealings with Brown and the Democrats. In part, it was this constant carping that weakened Naylor and allowed Nolan to take over the caucus.

"If I behaved toward Willie as Pat does, they'd have used that as an excuse to oust me," said Naylor. "Their major test was how effective you were in fighting the partisan war. Anytime you tried to cooperate, it was viewed as a sign of weakness."

Brown says Nolan can compromise where Naylor couldn't because he is "firm in his convictions about things, there's nothing wishy-washy. No one questions when he does assent to something I've recommended. We're both so strong in our respective convictions that people know we're not just accommodating."

Naylor said Nolan kept pressure on him constantly to be tougher on Brown, to make more of a stink in public about the Democrats and their policies. Assemblyman Richard Mountjoy of Monrovia, who was Republican caucus chairman under Naylor, agrees, saying the cavemen were "on Naylor all the time." The arrangement Nolan has with Brown was offered to Naylor, according to Mountjoy, but Naylor couldn't take it because the "Nolanistas" would have used it as another way to attack Naylor's leadership.

Naylor never had the political tools he needed to shore up his own leadership position within the caucus. He had no power to discipline caucus members by taking away committee assignments or office space. As a result, Nolan could chip away at Naylor with impunity. In 1983 he led one at-

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tempt to oust Naylor that fell just two votes short. Although there was some shuffling of leadership posts in the caucus after that, Nolan and his supporters escaped substantial punishment for their unsuccessful coup.

Nolan and his supporters were able to operate their own political machine, recruiting candidates for the June 1984 primary in opposition to the official Assembly Republican political operation headed by Naylor. The Naylor-Nolan primary clash was a small-scale version of the 1978-80 leadership fight between Democrats Leo McCarthy, then speaker, and Howard Berman, who wanted the post. These two engaged in a battle that did not yield a clear winner, making it possible for Willie Brown to step in and become speaker. But Nolan was successful in winning enough of the 1984 primaries to ensure that he would become minority leader when the new Legislature convened later in the year. Although Naylor insists he was not forced from the position, he decided to run for the U. S. Senate rather than face a showdown with Nolan.

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The Gann vote

After the primary, Nolan's defiance of Naylor became open, although he resisted trying to oust him before the Legislature adjourned for the year. The first sign of his intent to cooperate with Speaker Brown came on a vote to change some rules conforming Assembly procedures to those mandated by the voters when they approved the Paul Gann-sponsored Proposition 24 — a measure designed to cut legislative spending and severely limit the powers of the Assembly speaker. The changes, proposed by Brown, conformed Assembly rules only in ways that did not affect the speaker's basic powers. Naylor had been insisting that all of the proposition's provisions be enacted and had been calling for almost daily votes in an attempt to embarrass Brown. Nolan and his supporters, however, bucked Naylor and joined with Brown in approving the changes, much to the consternation of Gann, who wrote Nolan, "Why would you climb into bed with Willie Brown?" A Sacramento Superior Court judge has since ruled that the proposition is not valid.

Since taking over as leader, Nolan has showed that he has no intention of allowing the same type of dissent to his leadership that he, himself, displayed during the Naylor years. Earlier this year he cracked down on Assemblyman Dave Kelley of Hemet, a persistent but harmless critic of Nolan's leadership. Nolan had Brown push Kelley out of his large fifth floor office, installing instead his political lieutenant, John Lewis of Orange, and also had Kelley stripped of his most important committees. Nolan made the move not because he feared Kelley presented a real challenge to his leadership, but because he wanted potentially more harmful critics to know what they could expect.

"He saw Naylor as a weak leader because he wouldn't crack down on dissenters. He's not going to let that happen," said Kelley.

Mountjoy, Kelley and other Republican critics say Nolan has sacrificed his party's right to criticize the Democrats, exchanging that only for the ability to secure a personal power base. When you're a minority party, these critics argue, the most important thing you can do is use the public forum of the Assembly to complain about the policies of the majority.

Nolan, however, argues that he has received more than this from Brown, and he cites a string of new bills by Republicans — including approval in the Assembly for the first time of a bill requiring many welfare recipients to work for their payments — that never would have passed under the hostile conditions of the past.

Those same Nolan victories are also at the root of the complaints by a minority of Democrats that the arrangement has hurt them as well. They argue that Brown is giving away victories to Nolan, and more importantly to Governor George Deukmejian, that could be used against Democratic candidates in next year's elections. They, too, cite work-for-welfare as an example where Democrats might have backed long-standing positions and at the same time denied the governor a policy victory he has been seeking for years. They also note that by cooperating, Brown has forfeited to Senate President pro Tempore David Roberti the role of being the defender of Democratic principles.

But most Assembly Democrats believe the speaker got the better end of the deal. They say that all he has really given away is the power to directly discipline a few Republicans who already are mostly powerless and whose votes rarely make a difference. In exchange he has harmony in his house — and a guarantee he will not be opposed as speaker.

And harmony is important to Brown. At the end of this session, he will have completed six years as Assembly speaker — as long as any man has held the job. During most of those years, he has presided over a bitterly divided house that at times was criticized for its inability to get anything done. Now, rumors are about in the Capitol that Brown may be thinking of retiring from the Legislature, that he wants, at most, one more term as speaker. Although Brown maintains he is perfectly content as speaker and has no intention of leaving the post, he has to be contemplating of the legacy he will leave behind. He is the state's first black speaker. Already he has dispelled fears that he would not be able to raise enough money, or protect incumbent Democrats from reelection challenges. Now he wants to be remembered as a speaker who also led a well-run Assembly, a house that approved some major changes in state law. For that, he will need the cooperation of Pat Nolan and the Republicans.

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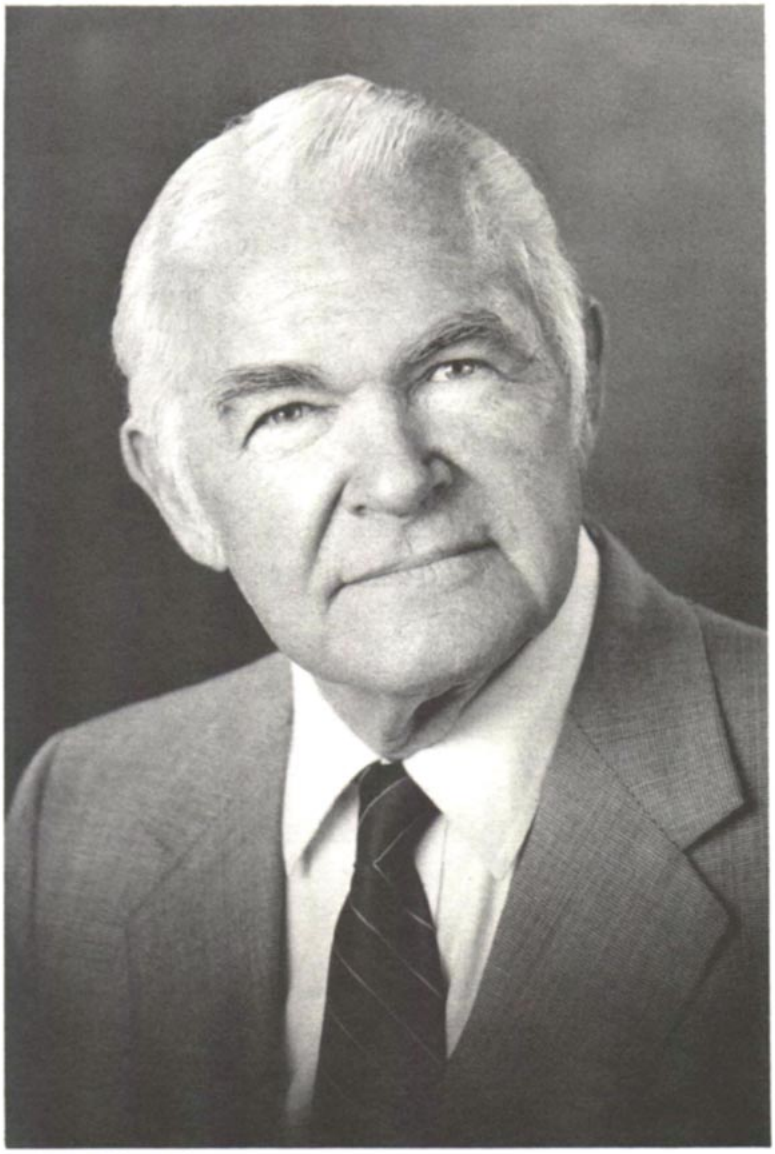
WALTER STIERN

Gentle-mannered, independent Senate dean decides to retire

By BRUCE SCHEIDT



Walter Stiern today

If a coin toss had gone the other way 27 years ago Senate dean Walter W. Stiern is sure he would have had a short political career.

The 71-year-old Bakersfield Democrat, who will retire at the end of his seventh term next year, likes to recall the time he and former Assemblyman John Williamson of Bakersfield used a piece of silver to determine who would run for the two houses of the Legislature back in 1958. It was Stiern's good fortune that he won the coin toss and had the opportunity to serve in the upper house.

"I know in my heart I would have left the Assembly in a few years," the white-haired, gentle-mannered Stiern said. "I couldn't stand to have the pressures of the Assembly speaker telling me what to do. I've had independence in the Senate."

Indeed, Stiern has shown himself to be stubbornly independent over the years, a survivor from another political era before the Legislature became embroiled in rancorous partisan debate and tethered to special-interest money.

Senate President pro Tempore David Roberti of Hollywood says he could never arm-twist Stiern. "The Senate has become more partisan than he is, but I don't think the Senate has passed him by. It's important to have someone look at the issues in a non-partisan way."

One of the Legislature's poorest fund raisers, Stiern maintained his popularity with voters through unchallenged integrity that was appreciated back in his district. Former Assembly Republican Floor Leader Joe Shell, a long-time Stiern supporter and now-Bakersfield oilman, observed, "Nobody ever questioned Walter's honesty or integrity. Walter represented his county without any regard to partisanship. What more can you ask of a person?"

Stiern, who believes he has been more liberal than his conservative image, hasn't been afraid to break with his district's views if they clashed with a strongly held belief. In 1966, for example, a majority of Kern voters opposed the confirmation of four state Supreme Court justices who had voted with the majority to invalidate an initiative aimed at wiping out fair-housing laws. But the following year Stiern stood on the floor of the Senate and denounced a measure to repeal a fair-housing law as an insult to black soldiers with whom he had served in World War II.

"That was a hard vote because of the way people felt about it in my county," Stiern said. "But I believed in it sincerly."

Stiern was not afraid to battle the farming establishment on occasion. In one key break during 1975, Stiern not only voted to confirm Le Roy Chatfield, a former United Farm Workers organizer, to the Agricultural Labor Relations Board, but he also testified in support of Chatfield before the Senate Rules Committee.

Four governors

Of the four governors with whom he served, Stiern most enjoyed Edmund G. "Pat" Brown, whose terms as governor coincided with the senator's first eight years in office. "As time goes by, he will be looked on as a very good governor," Stiern said. "He saw California was in a tremendous growth period, and we had to prepare for that." Two of the most important pieces of legislation during Stiern's tenure, the Master Plan for Higher Education and the Burns-Porter Act authorizing the State Water Project, were signed by Brown.

Stiern least enjoyed Pat Brown's son, Jerry — "He had a lack of respect for the Legislature" — and Ronald Reagan, who, Stiern said, was not well informed about the intricacies of government and did not work hard at his job.

The senator calls Jerry Brown a "totally different person" from his father. Whereas Stiern saw Pat Brown as a "very

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Bruce Scheidt is Capitol correspondent for the Bakersfield Californian.

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Walter Stiern in 1958

humanistic kind of guy" who sought advice from legislators, the son was an "academic, student type" who was aloof. Stiern still has a vivid recollection of a party hosted by Pat Brown in the old Governor's Mansion. "This young man was walking around in the shadows, watching all this with an attitude of disdain, as if these were strange creatures with his father. You couldn't get him to say hello." The young man was Jerry Brown.

Stiern may be the only legislator to have sued a governor. It occurred in his hard-fought 1970 Senate campaign against Bill Park, now the state GOP vice chairman. Then-Governor Ronald Reagan came to Bakersfield twice and kept showing up on television commercials to tell voters that Stiern opposed legislative resolutions censuring black activists Eldridge Cleaver and Angela Davis. In fact, Stiern had backed the resolutions.

Stiern filed suit and obtained a 17-day court order blocking Reagan from repeating the charges, though the order was lifted days before the election. "Those statements were made with the intent to be racial. I couldn't believe the man would go that far. He just flat-out lied what my voting record really was."

Kern voters were not so easily taken in and returned Stiern to the Senate with 55 percent of the vote.

Seniority and leadership

Despite his seniority, Stiern never sought a leadership position in the Senate. "I wouldn't have lasted two minutes as pro tem. I couldn't have lived with myself if I had to do what those prima donnas want you to do — people wanting special persons on the Senate payroll, people wanting money for a new wall, people wanting electronics equipment that nobody else has. I'm not willing to pay that price. I don't like spending money unnecessarily, and I don't like malingering."

Of the pro tems he has served with, Stiern had the most admiration for Hugh Burns. "He didn't give away the company store. He held down costs."

A doctor of veterinary medicine, Stiern was not hesitant to use medical background to his political advantage. When Stiern, at the age of 44, decided he first wanted to run for the Senate he sent letters announcing his candidacy to every person who had brought a pet or animal to his veterinary hospital in Bakersfield, mailing about 20,000 letters in all. In doing so, Stiern had adopted one of the earliest forms of direct-mail campaign strategy. Positive responses gave him a reliable base from which to raise money and call on volunteers.

Six weeks before the election the Republican incumbent, Jess Dorsey, died, assuring victory for Stiern.

Stiern the veterinarian has proved to be a good politician. It has been said, with only modest hyperbole, that the Bakersfield senator knew the name of every cow in Kern County. Imagine the difficulty, once sighed a county Republican official, of pursuading a parent to vote against the senator who saved his child's pet.

"Walter took care of a lot of dogs and cats before he became state senator," said state GOP Vice Chairman Park.

Stiern gave up his veterinary practice when the Legislature became a full-time operation in 1966. Now that he is leaving the Senate he hopes to do research on animals to improve their food production and learn more about cancer treatments. "All I need are some animals and a place to put them."

Health expertise

His medical background made him one of the Legislature's experts on health issues and left an indelible mark on his legislative work. He authored laws that: required sanitary toilets to be available to farm workes in the fields; forced persons operating X-ray machines to be properly trained, the first such law of its kind in the nation; required all public school employees to have periodic tuberculosis examinations; required X-ray patients to wear lead aprons; and required health inspections on wild animals imported into the state.

Not a gifted student, his matriculation at Bakersfield Junior College and later at Washington State University served as the turning point in his life, the senator says. And so it was that he championed public education, particularly the post-secondary level.

Chairman of the Senate's budget subcommittee on higher education since 1971, Stiern over the years has authored laws that established a California State College in Bakersfield, the last CSU campus built; increased both the number and dollar value of state scholarships, including provisions for veterans; and created a state program for community construction. Before the program the entire cost of community college construction was paid by local property taxes.

A major factor in Stiern's decision to retire was his honoring his wife's request to spend more time with his family. The senator and his wife, June, have two daughters and five grandchildren. "Who knows how much time you have left?" the 71-year-old Senate dean says.

Some of Stiern's closest friends are quietly happy with his decision. Several have noticed a steady decline in his vigor and attentiveness and claim he has never been as active since he suffered a heart attack in 1976. He was sent to the hospital with pneumonia in 1983, months after a tough re-election campaign. Campaigning over hundreds of miles in a sprawling four-county district like Stiern's could sap even a younger man's strength.

Stiern's retirement will break a pattern set by the two previous deans of the Senate. The late Randolph Collier of Yreka and Albert Rodda of Sacramento stayed too long and were turned away from office by the voters.

But Stiern knew when it was time for him to leave, and he was able to dictate the terms himself.

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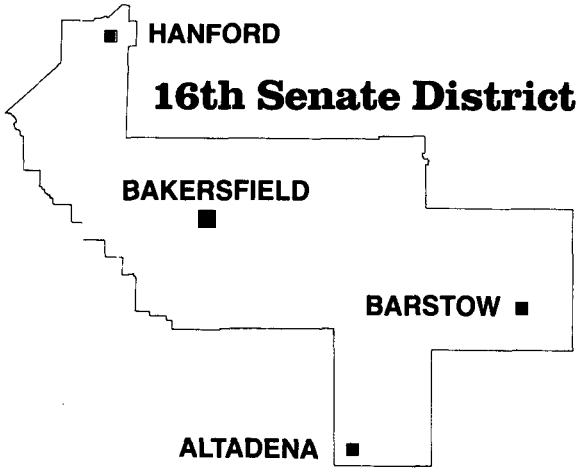
16TH SENATE DISTRICT:

TOSS-UP SEAT WILL COST PLENTY TO WIN



By BRUCE SCHEIDT

During the past few months, the southern San Joaquin Valley has witnessed an outpouring of raw political ambition. And why not? Outcome of the contest for the 16th Senate District seat being vacated next year by the retirement of Senate dean Walter W. Stiern, a Bakersfield Democrat, could help determine whether Democrats maintain control of the upper house for the next round of reapportionment after the 1990 census.

For that reason, Democrats and Republicans are jockeying for position and lining up key support at an early date on the political calendar. Senate President pro Tempore David Roberti of Hollywood describes the importance of the race in fierce terms: "It's our Armageddon. We intend to win that race, no ifs, ands or buts." He says it "conceivably" could be the most expensive Senate race of 1986.

Senate Republican Floor Leader Jim Nielsen of Woodland calls the election to replace Stiern "high up on our priority list, bar none. It's absolutely key."

Democrats now control the Senate 25-15, but several Democratic districts have grown increasingly conservative and could go to a Republican when the incumbents retire. Both parties consider the marginally-Democratic 16th District pivotal to their long-range plans.

Stiern has held the seat since 1958 — seven terms in all. Four reapportionments have moved the district lines hundreds of miles over the years, but Kern County has remained the political fulcrum. Democrats artfully crafted a stronger Democratic district in 1981 to prepare for Stiern's retirement by adding heavily black precincts in Pasadena and traditionally-Democratic Kings County. The district also contains a portion of San Bernardino County.

Democrats enjoy a registration advantage, 55-33 percent. But the district is by no means liberal, and Republicans believe they can elect one of their own.

The Republican primary had looked like a collision course between Assemblymen Don Rogers of Bakersfield and Phil Wyman of Tehachapi. Wyman formed an exploratory Senate campaign committee the day Stiern announced his retirement last April. Rogers, best known for his 1982 initiative that eliminated the state's inheritance tax, got into the race in June and quickly marched past Wyman by getting most of the big-name endorsements in Kern County's farming and oil industries.

A June poll putting Rogers ahead of Wyman, 50-28 percent, seemed to confirm the obvious, and Wyman soon made a graceful exit. The Tehachapi assemblyman now is seeking the Republican nomination for state controller.

Just as it appeared Rogers had a lock on the nomination, however, Bakersfield businesswoman Ann Gutcher, the 1982 Senate GOP nominee, announced she would like to run a second time. Gutcher presents a tough challenge to Rogers because of her ties to agriculture and her alliance with state GOP Vice Chairman Bill Park and Congressman Bill Thomas of Bakersfield — two of the most powerful Republicans in Kern County. Moreover, Gutcher is probably better known than Rogers in the outlying areas of the district after having run a full-fledged Senate campaign there three years ago.

GUTCHER

ROGERS

Republican Floor Leader Nielsen has talked to the two contenders and wants assurances the primary will not get ugly and damage the nominee. "I've told them I'm going to ride close herd on the primary to ensure it's fair, above-board and not a bitter campaign."

A potential blow-up

Despite Nielsen's warning, there is plenty of potential for a major blow-up in the primary. There has been a well-publicized rivalry between Rogers and Thomas, Gutcher's political mentor, ever since a former top aide to Rogers tried to recruit primary opposition to Thomas in 1980. Thomas says he is staying neutral for the moment, but he has warned Rogers that he will not stay on the sidelines long if Rogers seeks help from Republican Senator H.L. Richardson of Glendora, a bitter Thomas foe within state GOP circles. Richardson was a guest speaker at a fund-raising breakfast for Rogers, and produced Rogers' direct mail in the 1982 inheritance tax campaign.

The Thomas-Rogers feud flared openly in 1982 when the

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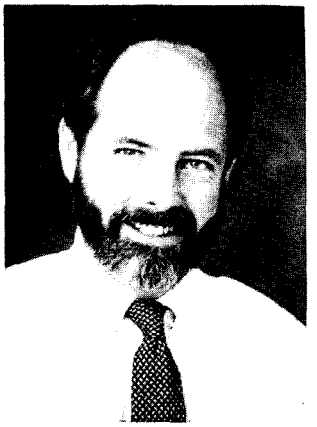
Kern County Republican Central Committee, controlled by the Thomas camp, sued Rogers saying the assemblyman used his inheritance tax campaign to raise money against Gutcher in her 1982 Senate primary. While Rogers never admitted any impropriety, he did agree to refund to the central committee and five other contributors a total of $1400, and the matter was dropped. Senate Republicans are hoping

COSTA



FALLGATTER

that this type of old wound is not reopened in a bitter primary fight.

There is no Democratic heir-apparent to Stiern, and the majority party leadership is deeply troubled by a thin field of Democratic possibilities. Stiern did not groom a successor, and there are few elected Democrats in non-partisan offices in Kern, where the election likely will be won.

Roberti thought he had his candidate in Bakersfield attorney Tom Fallgatter, but Fallgatter now says he would rather run for Rogers' Assembly seat where he will not have to face an incumbent legislator. Aides to Roberti and Democratic Floor Leader Barry Keene of Vallejo have toured the sprawling district talking to party activists and labor leaders in search of a consensus candidate, but none has been found. "We're trying to find out what the local Democrats want," Roberti said. "We're not in the business of picking candidates."

The intriguing Democratic possibility is Assemblyman Jim Costa of Fresno, but he would have to move to make the race. Senate Democrats have talked to Costa, and the assemblyman says he is interested.

"I think I could out-campaign Mr. Rogers," Costa said.

Costa's chairmanship of the Assembly Water, Parks and Wildlife Committee has made him well acquainted with Kern's water establishment and farmers, and Costa's conservatism appears tailor-made for the district. But Costa would be vulnerable to a "carpetbagger" charge because his Fresno home is not in the 16th District. He could move to Kings County, which lies in both his Assembly district and the Senate boundaries.

Roberti once dismissed Costa's chances because of his residency, but now the president pro tem says he was not aware of Costa's family "roots" in the Senate district. Costa's parents were born in Kings and he still has some relatives living there. But Kings accounts for only 10 percent of the 16th District vote.

Costa says he has to study what effects his residency would have on 16th District voters. "That's a hard issue to measure," he said.

Without a strong Democratic challenger, beating Rogers or Gutcher will be difficult. But a potentially divisive Republican primary and the emergence of a Stiern-like moderate could change all that; and whoever gets the Democratic nomination will have a vault of campaign money. "We're going to have a well-funded campaign. We're not going to lack for money," Roberti vows.

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Duke to D.C.?

REPUBLICANS SCRAMBLE TO CHALLENGE McCARTHY

By ROBERT GUNNISON

A game of political jackstraws that politicians and journalists are playing in advance of the 1988 presidential election goes like this:

Vice President George Bush wins the Republican presidential nomination and picks Governor George Deukmejian as his running mate. Although Deukmejian has not run in any of the presidential primaries, he is a proven vote-getter from the nation's most populous state. Deukmejian, whose Armenian roots counterbalance Bush's Eastern Establishment past, has built a solid political alliance with Bush. The Californian has shown himself to be a reliable conservative, but not a right-wing ideologue.

Deukmejian has remained coy about his interest in national politics. The governor himself usually responds to such questions by saying he has no plans and is happy being governor. His political advisors like to leave the impression there's room for a jump to Washington.

The question, then, is: Who becomes governor? Would Deukmejian be picked for vice president if the California governorship fell into the hands of a Democrat, namely Leo McCarthy?

Many Republicans think not. So the scramble is on by four prominent Republicans to join the exclusive political club of lieutenant governors that includes such memorable figures from the past as Buron Fitts, John Reddick and William Jeter.

Robert Gunnison is a Capitol Correspondent for the San Francisco Chronicle.

So far, two — Bruce Nestande, an Orange County supervisor and former assemblyman, and Assemblyman Don Sebastiani of Sonoma — have officially declared. Senator H.L. Richardson of Glendora and former Lieutenant Governor Mike Curb — who once said the job should be abolished — are also considering running. Deukmejian has been and, his aides say, will be studiously neutral in the GOP primary next June, although his political ties are closer to Nestande than to the other three.

The job of lieutenant governor has not proven to be much of a stepping-stone to anywhere, except perhaps greater obscurity. The last to rise to governor was Goodwin Knight, a Republican who had the good fortune to be in the right place when President Dwight Eisenhower appointed Governor Earl Warren as chief justice of the Supreme Court in October 1953.

(Knight was elected governor in 1954 by a large majority. But when he and U.S. Senator William Knowland tried a job-switch in 1958, voters defeated them both.)

Incumbent Lieutenant Governor McCarthy is not likely to be a walkover, no matter who the Republicans nominate. While he has a reputation for Deukmejian-like caution, he proved himself a worthy scrapper when he defeated former Assembly Republican leader Carol Hallett for the job in 1982.

Since then, he has quietly built a record as a friend of the elderly and a proponent of the quick cleanup of toxic wastes, an issue on which Democrats believe Deukmejian may be vulnerable.

McCarthy, the former speaker of the Assembly from San Francisco, also has been busy raising money — lots of it. In the first six months of the year, according to reports filed with the secretary of state's office, he took in nearly $162,000. He has been holding small $5000-a-couple dinners

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that an aide described as "intimate affairs." He hopes to have $3 million banked for the general election.

McCarthy has been giving back a little money, too. He gave $10,000 to the bankruptcy trustees of confessed political corruption figure W. Patrick Moriarty after reading newspaper accounts saying the fireworks magnate was the true source of the campaign money, rather than the intermediaries who had written the checks. His decision contrasts with that of Deukmejian, who has declined to return money sent to his campaign by Moriarty surrogates, saying he had broken no law and saw no reason to reward a criminal by returning money to him.

The lieutenant governor "just decided the most appropriate use of the money would be to pay off the creditors of the now bankrupt Moriarty, who should have been getting the money to begin with," said McCarthy spokesman Stephen Hopcraft.

A political adjustment

In an adjustment to his political position, McCarthy recently let it be known he now favors capital punishment, a decision he says he reached after concluding that stiffer jail terms "have not substantially reduced heinous murders in the state." Any of his four Republican opponents would have made hay over McCarthy's opposition to the death penalty, and he likely will take some flak for his late switch.

Nestande, 47, who sometimes sounds and looks as if his jaws have been wired together, has been supervisor since 1980, when he defeated Edison Miller, a controversial prisoner of war in North Vietnam who was appointed by Governor Jerry Brown to an unexpired term on the board.

Early in Nestande's career he worked as an aide to then-Governor Ronald Reagan. It was something he hopes nobody ever forgets, and he wears the experience as a badge of loyalty.

Deukmejian early in his term appointed Nestande to the California Transportation Commission and last February made him chairman, not an insignificant position in this pro-highway administration. It also gives Nestande the distinction of being the only one of the four hopefuls whom Deukmejian has appointed to anything.

Like McCarthy, Nestande returned money, $18,000, that he acknowledged had been given to him by Moriarty's business associates.

To run his campaign, Nestande has hired the firm of Sal Russo and Doug Watts, who oversaw the final weeks of Deukmejian's campaign for governor and have remained close to the governor ever since.

It was the announcement of candidacy in June by Nestande that precipitated the rumblings by Richardson that he might run. The guru of the New Right and of the gun lobby considers Nestande something less than a true-blue conservative. "It's nothing he's burning to do," Mike Carrington, Richardson's longtime aide, said of his boss entering the race. "But I don't think the senator is interested in seeing a liberal Republican in that job."

Richardson, re-elected last year after first announcing that he would not run at all and then changing his mind, could enter the fray without jeopardizing his Senate seat. The last time he ran for statewide office was in 1974 when he took on Senator Alan Cranston, who buried him.

Since then, Richardson has emerged as a prodigious fund raiser for conservatives, using computerized mail to tap new money sources, particularly gun owners.

CURB

RICHARDSON

What is not clear is how Richardson, a combative political loner often armed with his own agenda, would fit with the close-to-the-vest Deukmejian. When the governor first took office, Richardson wrote, "The picture his administration is painting is sweet and moderate and without any bold strokes . . . It's a 'kissy-mommy' scenario for sure; no substance, no guts, no imagination, no fight." He later recanted and said he was impressed with how tough Deukmejian could be.

Chills and pneumonia

If the prospect of Richardson gives the administration the chills, the prospect of Curb should given them pneumonia. Curb was Deukmejian's foe in the hard-fought and close 1982

How they rate — early

Elections for relatively low-profile offices — such as lieutenant governor — where candidates usually have a hard time attracting large amounts of campaign cash, often turn on which candidate is best known and best liked. A *California Poll* by Mervin Field completed in late August shows how the voters rate potential lieutenant governor candidates as they enter the starting gate.

Former Lieutenant Governor Mike Curb has the highest name identification of any of the Republican contenders — 67 percent of those polled know who he is. That is even higher than the 53 percent who can identify incumbent Democrat Leo McCarthy. By comparison, the other Republicans lag far behind. Only 28 percent of those polled recognize Senator H.L. "Bill" Richardson and Assemblyman Don Sebastiani. Orange County Supervisor Bruce Nestande is known by only 9 percent of the state's voters.

However, when the "image score" of each candidate, which indicates the ratio of "favorable" to "unfavorable" impressions, is considered, the picture changes.

McCarthy had by far the best image score — 490, which means nearly five times more people have good impressions than have bad impressions. In contrast, Curb had a rating of only 150. With the exception of Chief Justice Rose Bird, who had an 80, Curb's ranking was the lowest of 35 political figures included in the poll. His "mixed" score was matched by Sebastiani, also at 150, and was only mildly exceeded by Richardson at 180. Nestande's score was 200.

For reference, high man in image is Peter Ueberroth, former Olympics chief, now commissioner of baseball and sometimes named as a possible candidate for the U.S Senate against incumbent Democrat Alan Cranston. He had a score of 1100.

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Republican gubernatorial primary. During the final days it was disclosed that Curb, who had insisted that he was fully qualified for the draft during the Vietnam War, was actually classified 1-Y for an undisclosed reason and was ineligible for military service. Curb now says it was either his allergies or a knee injury he suffered as a young newspaper boy.

In addition, it turned out that Curb, who had portrayed himself as a loyal Reagan follower since he was practically in diapers, had not bothered to register to vote until 10 years ago when he was almost 30.

But, Curb points out, he endorsed Deukmejian the night he lost the primary and made campaign appearances for him during the general election race. Until recently, Curb has

SEBASTIANI

NESTANDE

been a successful fund raiser for the Republican National Committee in Washington, D.C. This spring he returned to California and is now back in the recording business full-time.

He said he will decide later this year whether to form an exploratory committee. "I hadn't planned something like this," he said in an interview. "I'd have to feel that it was right."

Curb, a millionaire music-industry executive, was elected lieutenant governor for the final four years of Brown's term. He defeated incumbent Democrat Mervyn Dymally in a bruising fight. At the time, Curb expressed dissatisfaction with the office. But he said recently that if two Republicans held the job, it could be "very active."

Curb had his own way of making the job "active" under Brown. Once when Brown was out of state, Curb was driven at high speed from San Francisco to Sacramento to file some official papers before Brown could return. Brown filed a suit challenging Curb's powers, but Curb won and a truce was reached.

Sebastiani, like Curb and Richardson, is known to worry the Deukemjian camp. The governor's staff took undisguised glee in 1983 when they came up with a plan to circumvent a Sebastiani's attempt to change the state's reapportionment system.

But reapportionment has been Sebastiani's ticket to political prominence. As a constant voice of opposition to letting the Legislature draw its own district lines, he has won the support and attention of California conservatives. With personal wealth derived from his wine-making family, Sebastiani has thrust himself onto the stage; but like Richardson and Curb, he is often regarded as a maverick.

He conceded that his own Assembly seat is difficult to hold, and he is looking for something new.

For McCarthy, a bitter Republican fight is good news. He can sit back, raise money, burnish his image and watch the GOP candidates claw each other.

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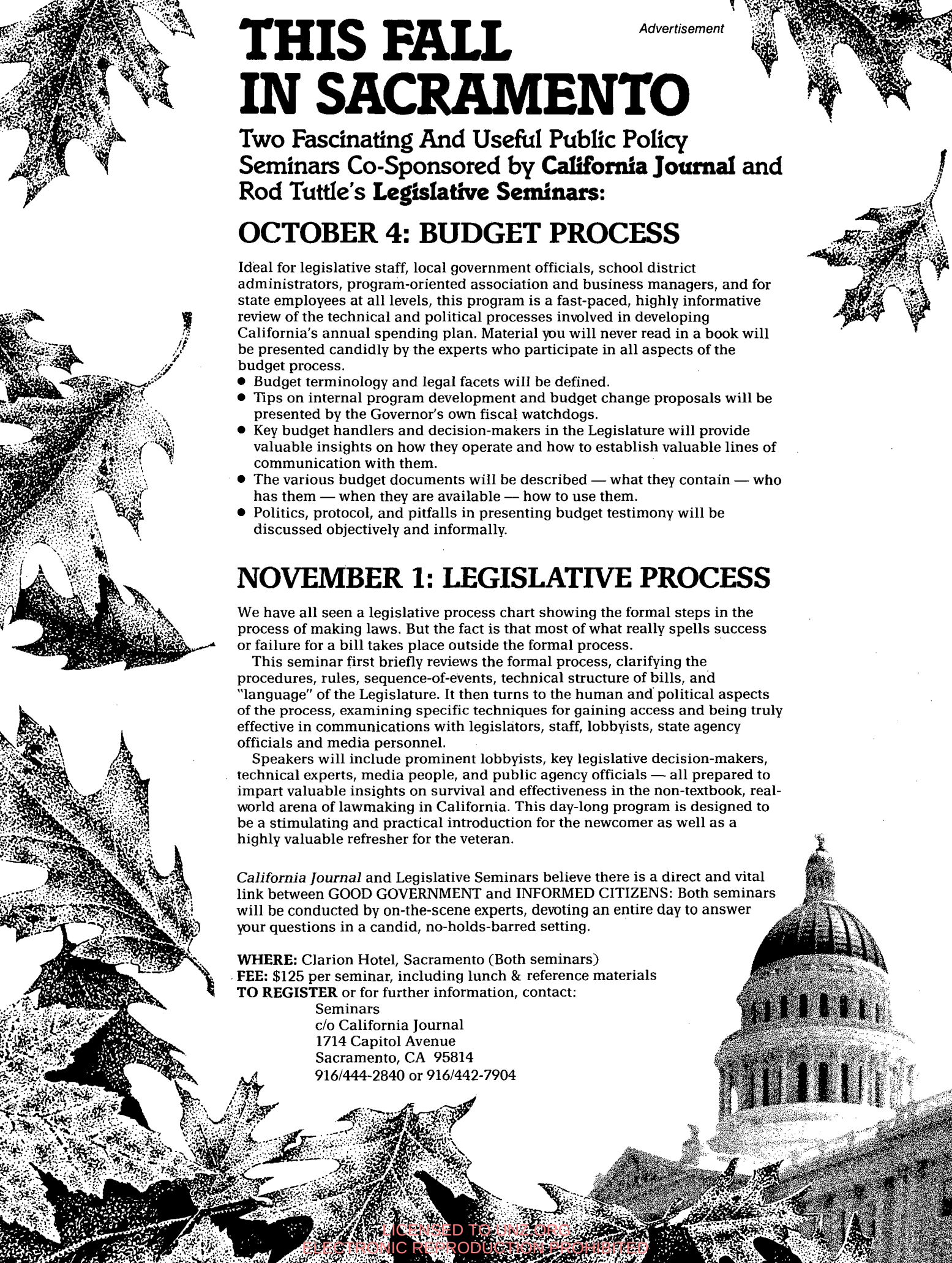

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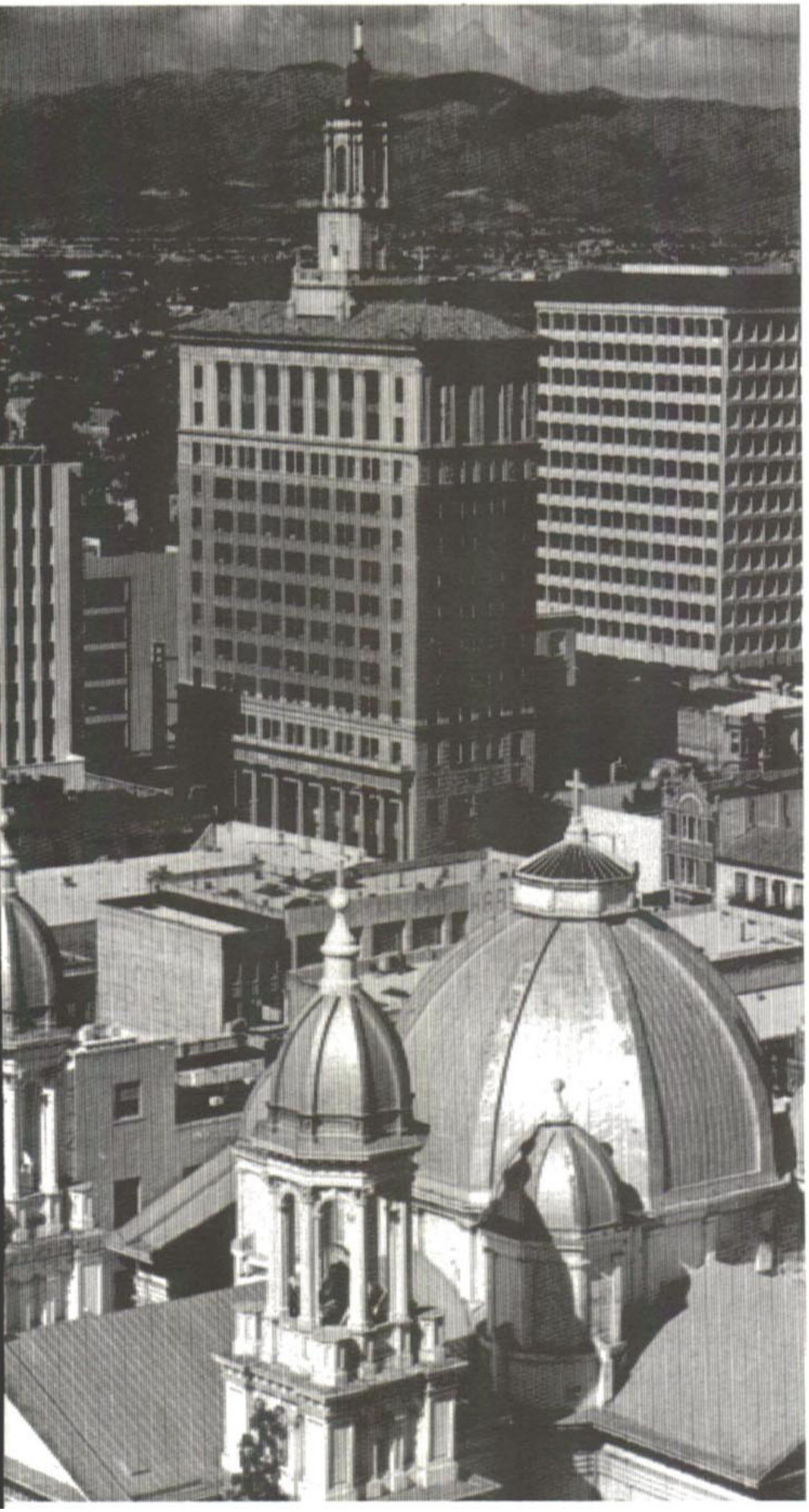

SAN JOSE'S HIGH-TECH POLITICS

By LARRY LIEBERT

For generations, San Jose was cheated of respect and treated as a drab outpost. It was seen simply as a series of freeway exits, 50 miles south of picture-postcard San Francisco. More recently, it was viewed merely as the bedroom community for those who worked in the exciting, new, high-tech industries in Palo Alto, Mountain View and Sunnyvale, its smaller neighbors in Santa Clara County.

Increasingly, however, San Jose is thinking big and talking boldly. "I'm not satisfied with our former colonial position, where we built homes for people who worked in Silicon Valley," said Mayor Tom McEnery. "San Jose stands for the next generation.,"

By sheer size, San Jose is becoming a bigger player in the politics of California. The most recent state estimate showed San Jose's population of 696,000 barely lagging behind San Francisco's 719,200. A study by the Association of Bay Area Governments projects that San Jose will be the region's most populous city by 2005. McEnery has scoffed that glamorous San Francisco is a "dying city."

Equally important, San Jose's quest to become recognized as "the capital of

Larry Liebert is chief political correspondent of the San Francisco Chronicle

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Silicon Valley" could put it on the cutting edge of the state's changing economy.

At the same time, San Jose, long known for fast-food franchises and faceless subdivisions, is aspiring to a more fashionable lifestyle. Young urban professionals, the so-called "Yuppies," are renovating old homes in the heart of what had been a run-down and nearly deserted downtown. There are new gourmet restaurants, a jazz club, repertory theaters, croissant bakeries and boutiques.

San Jose has even talked of luring away baseball's Giants from San Francisco, although the cost of building a new stadium and threats of a lawsuit by San Francisco have slowed work on that plan.

Evolution

Local politics and power in San Jose have been transformed by the city's evolution since World War II. At the end of the war, San Jose was still a sleepy town at the center of some of the world's most lush orchards. The leaders of its farm economy were powerful figures in local politics. In the years that followed, the orchards were paved for vast, amorphous suburban housing tracts much like those of Los Angeles' San Fernando Valley. In those decades, a breed of rough-hewn developers threw around their weight, their campaign contributions — and occasionally their bribes — at San Jose's City Hall.

The housing bubble burst, in part, because California voters passed the tax-cutting Proposition 13 in 1978. Under its restrictions on property taxes, the cost of providing roads, sewers and police for new subdivisions outweighed the taxes generated for the city coffers.

Now, San Jose is turning to high-tech industry, research facilities and offices. The entrepreneurs and executives of Silicon Valley have been handed tremendous clout at City Hall simply because San Jose is so eager to romance them.

"If the 11 members of that city council were nasty enough to the electronics companies, they'd be out of office," said Peter Carter, a prominent advertising executive in San Jose. "It's not a question of whether you're for them or against them — just a matter of how much you're for them."

The lobby for the region's electronics tycoons is the Santa Clara County Manufacturing Group, an organization founded by electronics pioneer David Packard in 1978.

"There is no way of overestimating the amount of influence the Santa Clara County Manufacturing Group has on local government," said Rod Diridon, chairman of the Santa Clara County

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Board of Supervisors.

"I'm welcome just about wherever I go," said Peter Giles, the urbane, full-time president of the organization.

For all their clout, the high-tech executives are still relatively unsophisticated in the ways of politics. Giles noted that many still do not even bother to make campaign contributions. But their "political consciousness and activism at all levels of government has visibly increased in the past five years," he said, and will only continue to grow.

Future growth

The proof of how much San Jose supports its vision of a high-tech future is the investment it made to lure a $95 million high-tech museum and science center that will be built downtown. To beat out neighboring communities competing for the project, San Jose pledged more than $40 million in public and private funds, plus a $2 million annual operating budget.

San Jose has planned its future growth around sleek, high-tech industrial parks. Tax revenues from such development on the city's north side is plowed into redevelopment aimed at renewing the faded downtown. The parcels available on the city's north side are large but not large enough for some of the biggest electronics firms. To lure them, San Jose threw open the Coyote Valley.

The Coyote Valley, at San Jose's southern end, was the city's last undeveloped flatlands. Its 6000 acres are grasslands, orchards and gently rolling hills. The valley is treasured by environmentalists, and city policy was to preserve it. In May 1983, however, San Jose scrapped that policy and abruptly decided to allow development of 1400 acres of the Coyote Valley for high-tech companies in campus-like parcels of at least 25 acres.

The turnaround on development of the Coyote Valley came after a lobbying blitz by companies interested in locating there. One of the companies, Tan-

SAN JOSE'S TWO MOST POWERFUL CITIZENS

MAYOR TOM McENERY

Tom McEnery — San Jose's popular, 30-year-old mayor — describes his city's traffic problems as "insoluble" and its housing shortage as severe. Shrugging off such gloomy concerns, however, McEnery says, "I would much rather deal with the problems of growth than stagnation."

McEnery prefers to talk about happier — and politically safer — topics. He boasts of his efforts to keep branch libraries open longer hours and hire more police. He claims to have transcended old battles between developers and environmentalists, insisting San Jose can have both "trees and technology."

McEnery's roots are in the "old" San Jose. His grandfathers were a city councilman and a newspaperman, and he has lived on the same downtown street since the age of three. He and his family are still active in real estate and development in the downtown area. But McEnery also embodies the "new" San Jose, chatting comfortably with the area's successful, young, high-tech entrepreneurs.

The Democratic mayor, who was first elected in 1982, is praised by admirers for his sheer "force of personality." Even some friends sometimes criticize him, however, as "aloof" and possessed of an ego that is "out of control."

Most political insiders here believe that McEnery harbors ambitions for higher office, perhaps Congress or some statewide position. He denies he wants anything more than to be mayor of his hometown. He has already raised a sizable amount for a 1986 reelection campaign and at the moment looks like a sure winner.

McEnery claims a spirit of consensus on the city council that he leads. But some critics say that Latinos, who represent 22 percent of the city's population, are often ignored in local decision-making. There is one Hispanic on the 11-member council.

"We get pacified," said Abel Cota, a community leader. "They give us a little, but we don't really have a say."

PUBLISHER TONY RIDDER

Tony Ridder is the lanky and patrician publisher of the *Mercury-News*, the only daily newspaper published in San Jose. By most accounts, he has more clout than the mayor or anybody else in town.

Ridder, 44, is scion of the family that owned the *Mercury* before its merger with the larger Knight chain. Ridder takes seriously his role as a civic leader, to the point of pressuring a committee he headed to locate a new high-tech museum in San Jose and attempting to lure the San Francisco Giants baseball team to his city.

"I enjoy that sort of thing, I really do. It's a labor of love. It makes life more fun for me," Ridder explained.

Ridder is an enthusiastic fan of McEnery, who has received generally positive news coverage in the *Mercury News* and lavish praise on its editorial page.

Even though Ridder frequently becomes a newsmaker as well as a newspaper owner, he denies interfering with his paper's coverage of stories in which he is involved.

"The role of a publisher is to provide leadership in the community and the newspaper," Ridder said. "I don't see that as a conflict as long as I don't try to influence news coverage."

Larry Liebert

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dem Computer, even threatened to leave the Bay Area unless it was given the parcel it sought. Tandem got its parcel but has delayed construction, partly because of a slow-down in the computer business.

McEnery justifies the turnaround on Coyote Valley by arguing its huge parcels will be very different from the haphazard "cookie cutter" development of the past.

Significantly, the city council's decision to open the Coyote Valley raised barely a peep from once-vocal environmentalist groups. San Jose's vice mayor, Susan Hammer, said bluntly, "Their influence with this council is, at this point, fairly minimal." Diridon, chairman of the county board of supervisors, added, "The movement just got tired."

San Jose's giddy enthusiasm for high-tech development is an updated version of the adage that what's good for General Motors is good for America: "What's food for Apple Computer and IBM and Rolm in the Coyote Valley is also good, I believe, for the city as a whole," says McEnery.

One political strategist familiar with polls of voter attitudes in the county said, "The electronics industries are the guys in the white hats. People do not find that more growth is anti-environmental."

But there are a few doubters. Janet Gray Hayes, McEnery's predecessor as mayor, took a slow-growth approach and opposed development of the Coyote Valley. "I would think there would be a lot of red flags of caution that would have gone up because of the pollution of the groundwater and the transportation chaos around here." said Hayes. "It's incredible. I keep thinking that birds don't spoil their own nests."

Others say San Jose is naive in believing high-tech development is a sure bet. They note the current slump that is leading to layoffs and bankruptcies among some of Silicon Valley's big firms. In fact, San Jose city officials in recent months have been forced to lower their estimates of how much high-tech development will come to their city and how quickly.

McEnery's administration plays down the current high-tech slump as ephemeral. "Over the last ten or 15 years that industry has gone through ups and downs like every industry," said Dean Munro, McEnery's chief of staff, "but each time it has come back stronger than before."

Nonetheless, San Jose recently commissioned a study on whether the city needs to diversify beyond high-tech. It also issued industrial development bonds to encourage construction of a decidedly low-tech frozen waffle warehouse. "We've had a real honeymoon with the silicon and aerospace industries, but years ago Detroit had the same kind of relationship with the auto industry and we should learn from that," City Council member Pat Sausedo recently told an interviewer. "We should take the silicon downturn as a warning that everything will not be comfortable forever. There are no forevers."

Ironically, some high-tech executives share the belief that San Jose must restrain its eagerness to grow or risk serious troubles as housing costs increase and freeways become more jammed.

"It would be a good thing if the rate of building was able to slow down a little bit. Commercial office space is substantially overbuilt," said Giles, the high-tech leader. "Without greater emphasis on housing and transportation improvements, we're creating problems for ourselves three or four years from now. It's still an exciting place to be, a great place, but it's already losing its attraction for an increasing number of people."

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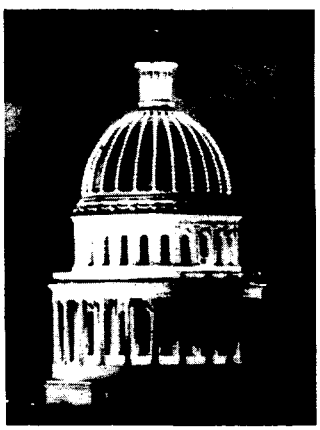

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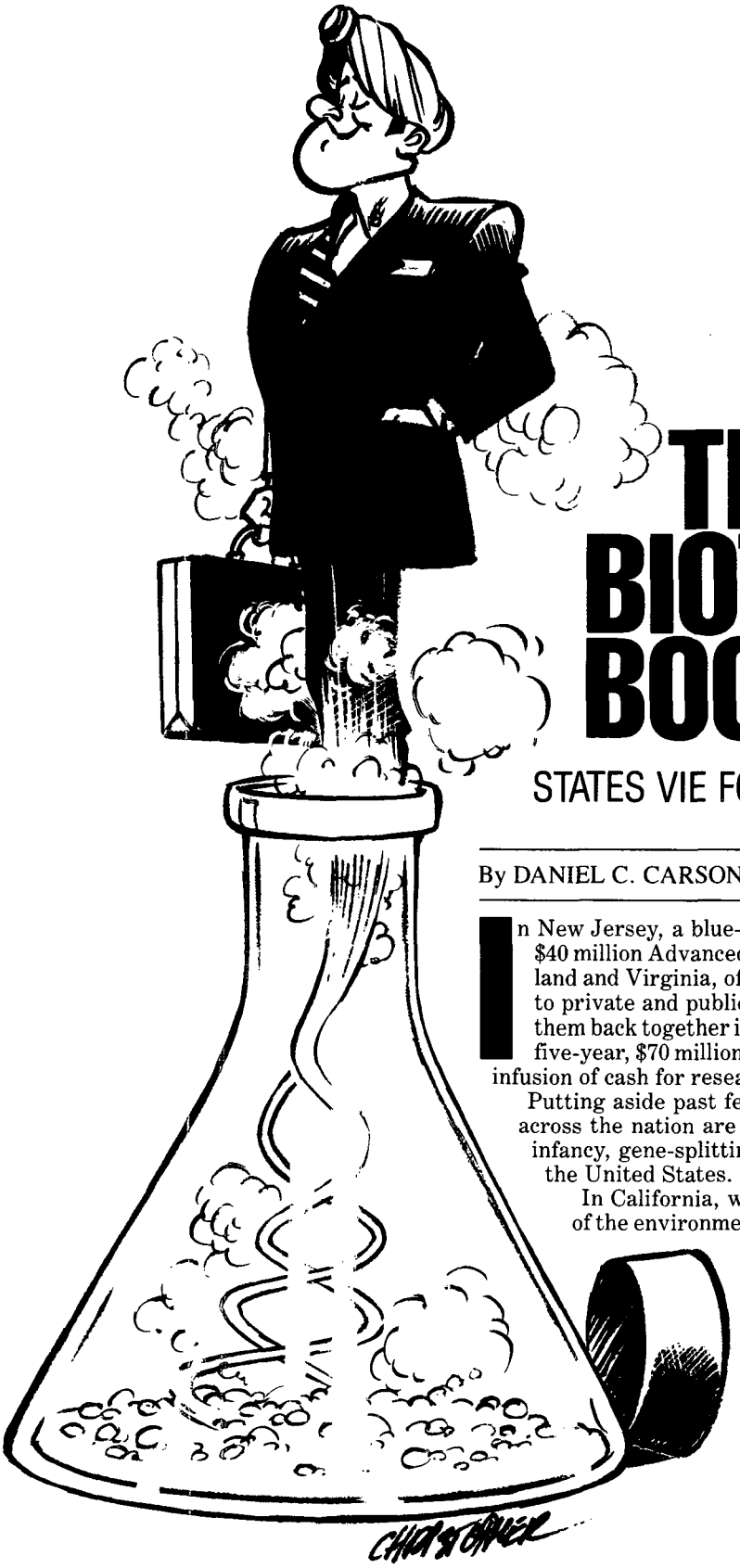

THE BIOTECH BOOM

STATES VIE FOR GROWING INDUSTRY

By DANIEL C. CARSON

In New Jersey, a blue-ribbon citizen panel has persuaded lawmakers to create a $40 million Advanced Technology Center in Biotechnology. In New York, Maryland and Virginia, officials are scrambling to funnel millions of taxpayer dollars to private and public laboratories which rip apart genetic materials and stitch them back together in a man-made design. And in North Carolina, an ambitious, five-year, $70 million investment in biotechnology is being pursued, with a hefty infusion of cash for researchers and educators in related fields.

Putting aside past fears of laboratory-created genetic disasters, state officials across the nation are competing to grab a piece of the action. While still in its infancy, gene-splitting is beckoning as one of the fastest growing industries in the United States.

In California, where much of the initial spurt in research took place, fear of the environmental risks of creating new substances has largely given way to the fear that the state may lose its competitive edge to the likes of North Carolina and New Jersey. The University of California, in a recent policy statement, said that while this state "is currently at the forefront of the biotechnology endeavor . . . this lead is a tenuous one. University, industry and government representatives all have acknowledged the serious shortages in resources available for both basic research and training of graduate students and other professionals."

A soon-to-be-published Senate Office of Research study,

Daniel Carson is Capitol correspondent for The San Diego Union.

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meanwhile, has determined that other states are making a substantial investment — including grants directly to industry, tax breaks, and better educational programs — to lure biotech companies to their states.

California had better think about matching those efforts if it intends to retain its place as the home of one-third of the major firms engaged in gene-splitting research and production, said Senate analyst John Griffing.

The initial public offerings of stock for two biotechnology firms — Genetech and Cetus — set Wall Street Records.

Griffing says the biotechnological industry now is in "the takeoff stage," and said it promises to match or exceed the 15-year Silicon Valley boom prompted by development of the micro-computer chip. Already, 70 of the 200 major U.S. biotech firms in the industry are in California. "We have the Goose that laid the Golden Egg here," said Griffing.

Norman Goldfarb, chief executive of Calgene Inc. and president of the state's arm of the Industrial Biotechnology Association, estimated recently that 3000 to 5000 California workers have jobs directly connected to such enterprises. But the number will escalate sharply, he predicted, as laboratory discoveries make the jump into assembly-line production.

Genetic genies

In the 1970s there was extended public debate here about whether scientists were uncorking a genetic genie that could ravage the environment with an artificially-created doomsday bug or rekindle the Nazi dream of genetically-superior Supermen.

Behind the startling change in state officials' attitudes are what they view as a decade-old track record of safety in such experiments during a period of extraordinary scientific breakthroughs.

Through so-called recombinant DNA experiments — where changes are made in deoxyribo nucleic acid, the basic building block of living matter — scientists already have developed a genetically-engineered substitute for insulin, created an amino acid used in producing the popular soft-drink sweetener "NutraSweet," and made possible the marketing of an enzyme-based drain cleaner for industry.

But those may just be the beginning.

Researchers are employing biotechnology to try to cure cancer and AIDS, convert hazardous waste to inert or useful products, create man-made substitutes for gasoline, and devise disease- and pest-resistant crops and livestock that vastly increase agricultural productivity. And California state officials, educators and industry leaders now are eager to promote these wonder products with generous grant-writing and a reduction of regulatory red tape.

With the backing of a new Assembly Office of Research (AOR) report, Governor George Deukmejian has formed an internal administration task force to address the vexing

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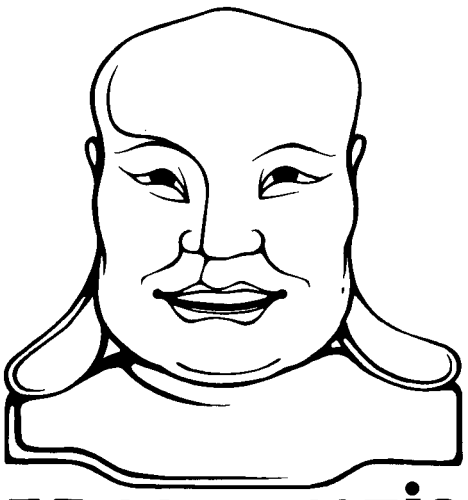

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BIOTECH GOES TO COURT

A federal appellate court has held that certain biotechnological experiments must undergo formal environmental impact studies before they can proceed. That February ruling by the circuit court Judge John Sirica in the District of Columbia stemmed from an effort planned by two University of California at Berkeley researchers to determine whether their laboratory-created microbe could inhibit frost in plants (see "Lab-created Life Form," *CJ*, February 1984).

The experiment by Steven Lindow and Nicholas Panopoulos hinged on the application of their new variant of bacteria in a potato patch near Tulelake in Siskiyou County.

Persuaded that a frost-inhibitor could potentially mean billion dollar increases in agricultural production, the federally funded National Institutes of Health approved the Berkeley experiment. But Jeremy Rifkin, author and president of a Washington, D.C.-based public-interest group called Foundation on Economic Trends, filed suit to block the project, contending it's the environmental hazards of releasing a man-made substance from the laboratory had not been sufficiently reviewed.

Rifkin largely prevailed. The February ruling established that a formal environmental assessment must be conducted, although it must not be quite as extensive as the foundation suit sought. UC will not appeal to the U.S. Supreme Court, said university attorney David Dorenson, because of the slim chance at overturning the appellate court ruling and the prospect of even longer delays for the experiment.

Lindow, meanwhile, expresses frustration that the legal maze has already resulted in a three-year delay in the Tulelake venture. And after nearly going through all the hoops to regain NIH approval, the U.S. Environmental Protection Agency has informed UC it now must obtain yet another permit for the experiment.

Lindow said the experiment now is targeted for "1986 at the earliest."

Daniel Carson

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issue of which regulatory agency, or agencies, should take charge of gene-splitting activity in California. The panel includes representatives of the departments of Food and Agriculture, Commerce, and Health Services. The AOR report recommended legislation to resolve these problems if the administration does not move on its own by 1986.

"To avoid unnecessary delays in getting new biotechnology products to market, federal and state governmental agencies should make every effort to adopt guidelines and clarify regulations as soon as possible," says the report.

Uncertainty

According to the study, authored by analyst James Rote, "Concern raised over introducing genetically-manipulated organisms into the environment and the uncertainties regarding how government agencies will exercise their authority to regulate such activities has delayed some biotechnology applications, such as the use of bacteria for inhibiting the formation of frost on plants.

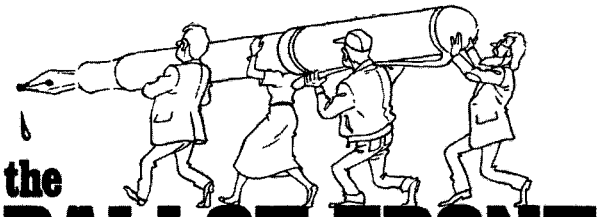
"These impediments," Rote said, "may also delay developments in the use of biotechnology in areas such as microbial-enhanced oil recovery, pollution control and mineral leaching. Similar regulatory uncertainties may hinder the genetic manipulation of plants, when those technologies advance in the near future."

Already, quarreling between the U.S. Food and Drug Administration and the Department of Agriculture has delayed for a year the marketing of products to stimulate growth and inhibit disease in cattle. Testing of a bacterium to inhibit formation of frost on plants has likewise been delayed a year and a half because vague guidelines prompted a court battle on whether a full environmental impact report was needed in advance.

In December a federal task force took a major step toward resolving such interagency squabbling. It issued a policy dividing the duties of policing gene-splitting research among four agencies — FDA, Agriculture, the National Institutes of Health, and the Environmental Protection Agency. The Assembly Office of Research suggested that a similar division of duties be worked out among California agencies. Existing state laws may be adequate to do the policing job, but it is unclear how they are to be applied and who will enforce them, said AOR.

Notably, the AOR study determined that "additional state statutory authority is not warranted. In exercising regulatory control over the biotechnology industry, the state (should) not be duplicating or attempting to fill a void in federal regulations, but would merely be satisfying existing state law."

Among the state agencies that could be involved in controlling recombinant DNA research and industrial production are the departments of Health Services, Food and



the BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 393,835 valid signatures; constitutional amendments require 630,136. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal *that contains a full explanation of each measure.*

Continuing in circulation:

DENTURIST LICENSURE ACT — an initiative statute, sponsored by Darryl L. Allison of Alhambra. (September 30th, July 1985).

MOTOR VEHICLE INSURANCE — an initiative constitutional amendment sponsored by Manual D. Talley of Los Angeles. (September 30th, July 1985)

ANTI-APARTHEID POLICY — an initiative statute, sponsored by Jules S. Barnes III of the American Roundtable of Sacramento. (November 14th, August 1985)

PUBLIC FUNDED ABORTIONS — an initiative constitutional amendment, sponsored by Renate Penny and Muriel Brown from the Institute for Child Care Studies of Sacramento. (December 19th, September 1985)

INJURY AWARDS — an initiative constitutional amendment, sponsored by David Sabih of Pacific Grove. (December 19th, September 1985)

REAPPORTIONMENT — an initiative constitutional amendment, sponsored by Republican Assemblyman Don Sebastiani of Sonoma. (December 23rd, September 1985)

REAPPORTIONMENT OF DISTRICTS — an initiative statute, also sponsored by Assemblyman Sebastiani. (December 23rd, September 1985)

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Agriculture, Cal-OSHA, and the Water Resources Control Board.

Issues

The issues at stake are toxic pollution, worker safety, and other environmental hazards. Among the decisions involved are whether the state's own requirements for full environmental studies of possible adverse effects should be undertaken in advance of recombinant DNA (R-DNA) experiments, and how much data should be shielded from public review in the name of protecting company trade secrets.

"If the public has confidence in the regulation of this industry, it will allow it to expand," argued Democratic Assemblyman Sam Farr of Monterey, chairman of the Assembly Economic Development and New Technologies Committee.

The University of California won the backing of the Deukmejian administration and key legislators for a $1.5 million budget appropriation to expand biotechnology research, student training and information services. Meanwhile, the Assembly Committee on Economic Development and New Technologies approved a bill by GOP Assemblyman Robert Naylor, Menlo Park, that would steer an additional $5 million into such programs. The measure later failed before the Assembly Ways and Means Committee, but Naylor says he will try again.

What the state should do additionally in the way of providing financial incentives for the gene-splitting industry is still a matter of some debate, however.

A draft Senate Office of Research study laid out several options without clearly endorsing any one of them. They included additional tax breaks for research and development activity, direct research grants to private and public educational institutions and private industry and creation of a California Biotechnology Center.

On one point, the study was unambiguous — that California should be doing something to keep its biotech lead. "Biotechnology promises enormous rewards in terms of jobs and economic development, but more importantly in terms of new products and processes that will improve health, increase productivity, and enhance living standards across the board," the report states. "The growing competition from, and the increasing sophistication of the biotechnology development programs in other states will, unless California takes preventive steps, be successful in cutting into California's share of this industry."

All of this goes in a dramatically different direction than earlier state legislative efforts. For example, in 1982 the Legislature passed a bill requiring all recombinant DNA research funded by the state to comply with federal safety guidelines or risk suits for legal damages. It was vetoed by then-Governor Jerry Brown because of protests from the biotechnology industry that it would deter needed research.

In 1984 then-Assemblyman Terry Goggin, a San Bernardino Democrat, introduced an ill-fated bill that would have required a full-scale advance study of any state-funded gene-splicing experiment. The AOR report concluded that fears of runaway laboratory-produced bugs have eased and that the federal government is relaxing its regulation of R-DNA experiments. "Despite some predictions to the contrary, R-DNA technology has not yet been shown to cause any damage to humans or the environment," AOR said.

Safeguards

But at the Boston-based Committee for Responsible Genetics (CRG), the fears of a "Satan bug" have been aggravated by what is seen as a pell-mell rush toward biotech development for dubious reward regardless of the environmental consequences.

"I think there is a danger. There is tremendous pressure on companies to come up with (laboratory-created) commodities that can be sold," said CRG Director Terry Goldberg. "The first thing to go is concern about health and safety."

Goldberg said her organization does not offer a blanket objection to research and implementation of recombinant DNA technology. But she and academicians who have studied the perils of biotech — including Marc Lappe of UC Berkeley and Jeremy Rifkin of the Washington, D.C.-based Foundation on Economic Trends — warn there are still insufficient regulatory safeguards for this business of shuffling genetic materials like a deck of cards.

And their backs go up at the idea of releasing DNA-altered material from the laboratory in field experimentation. "We know very little about how to predict the effect of such organisms on the environment," she said. "We're not saying all releases are inherently dangerous. We are saying we know very little about how to tell us what's dangerous."

And DRG contends the return on the major financial investment many states are now making in biotechnology could turn out to be less than its promoters are promising.

"What we're seeing are commodities I would call really not that useful in addressing human needs," Goldberg said. "Celery with no strings and carrots that are crispier. We heard a lot of promises of better health care and more food. We'd like to see the promises fulfilled."

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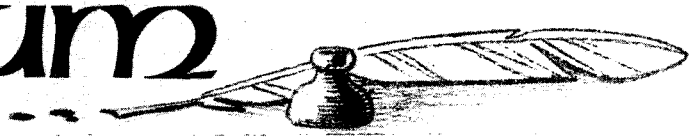

Hispanics

I have read "Viva Duke; Hola Disaster" by Virgil Meibert (*CJ*, September 1985). The title of the article indicts hundreds of Hispanics who were the substance of the "Viva Duke" movement and the community leaders who were responsible for the Hispanic vote that was critical to the Deukmejian 1982 victory.

The "Viva Duke" movement forever changed politics in regard to the role Hispanic voters play. It can be credited with affecting change more than any other group in modern history. Affecting change is not an easy task. The Dukistas' actions required courage and commitment. To question their abilities and their loyalty on the basis of their recent conversion to the GOP, is totally unfair. Longevity in the party does not translate into loyalty or ability to serve. This fact is supported by the 140 Hispanics who are serving the administration honorably and with distinction. Their honorable service far outweighs the Mendez and Montano affairs.

Had the Deukmejian campaign relied on long-standing Republican Hispanics during the campaign in 1982, the governor would not be in office today. Most of the Hispanics appointed by this administration were not involved with the "Viva Duke" movement. Some served the campaign in other areas, some not at all. But regardless of where these Hispanics were in 1982, the fact remains they are serving well, and they are being damaged by this incessant rehashing of the Mendez-Montano affair.

There was nothing in the article that shed new light on the issue, nothing that has not already been written about. There were no new incidents that Mendez, Montano or Avila could be blamed for instigating. Nothing that has had such a drastic effect on our political system can be destroyed by the actions of one or two individuals. I believe you will find the most descriptive title for such an article to be quite simply: "Viva Duke; Hola the Future!"

JULIO CALDERON
Sacramento

I would like to express my intense distaste for the article in the September *Journal* on Hispanics. I usually find *Journal* articles informative and, most important, accurate. However, it seems that anytime a journalist does an article on Mexicans and Mexican/Americans in California, fiction rather than facts are the basis for the article. Perhaps it would be too unrealistic to expect completely fair journalism, but we do, and must, have factual journalism. There is a real need to get beyond stereotypical, mushy minded, eastern Yuppish journalism for the Mexican/American population of California. For the record I am a Democrat and a Filipino.

ARTHUR NALDOZA
Sacramento

Correction

An "Up Front" article in the September issue contains two errors. It states that the Los Angeles Log Cabin Club was starting chapters in Orange and San Diego counties. This is incorrect. The San Diego club was formed in 1981, changing its name to San Diego County Log Cabin Club in 1984. It is in Orange and Riverside counties that clubs have recently been formed. This brings to four the number of clubs serving the gay and lesbian communities of California. The fourth club is San Francisco's Concerned Republicans For Individual Rights. It was formed in approximately 1978 and was the first club to receive recognition by a county central committee. it received recognition by the San Francisco County Central Committee in 1978. The article implied that the LA club was the first to be recognized by the party.

B. FRAAS
Vice President
SDC Log Cabin Club

Unruh on Wall Street

Jesse Unruh, in his pose as a stockholder-activist (*CJ*, August 1985), is merely a politician — all words and no significant action. Even more disturbing is the threat that government ownership of stocks represents to stockholders and the free enterprise system in general. Stock in the hands of politicians is another method to intimidate the management of corporations for political ends, and not for the benefit of these corporations' stockholders in general.

Unruh's lack of significant action was apparent during this past spring's annual meetings of stockholders. Resolutions to outlaw greenmail, golden parachutes, and other anti-stockholder abuses by management were proposed at IBM, LTV, and Occidental Petroleum, among others. Did Unruh campaign for these resolutions? Did he urge his own pension funds to vote in favor of them? The answer is a resounding "no."

The case of Unocal this last spring is another telling situation. Rather than merely a "paper loss on Unocal" (as your article headlines it), all of Unocal's stockholders took a real beating under Unocal management's maneuvers under Chairman Fred Hartley (whom Unruh supported). After all was said and done, the Unocal stock, after the management's exchange offer was completed, turned out to be worth about $46 per share for every pre-exchange offer share. If the stockholders had been allowed to accept freely the offer of T. Boone Pickens at $54 per share, they would have been better off by $8 per share.

Your article's headline "Jesse Unruh, Guardian Angel on Wall Street" is filled with irony. It should have ended with a question mark.

CARL OLSON
Chairman
Fund for Stockowners Rights
Vienna, VA

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CAPITOL MONTH

(A review of top stories during the past 30 days)

DEUKMEJIAN TRAILS BRADLEY

(August 16th): With his reelection bid little more than a year away, Governor George Deukmejian found himself 6 percent behind Los Angeles Mayor Tom Bradley, according to a Mervin Field *California Poll* conducted during late July and early August. Although the governor said he isn't worried about his sudden role as an underdog, Bradley aides said the results destroyed the notion that Deukmejian was unbeatable in 1986. The poll also showed that Democratic gubernatorial hopeful state Senator John Garamendi badly trailed Bradley, 75 to 16 percent.

MORE BAD NEWS FOR BIRD

(August 19th): The results of a *California Poll* provided more bad news for state Supreme Court Chief Justice Rose Bird. According to the poll, 47 percent of those asked said they would not vote to confirm Bird, as opposed to 38 percent who said they would vote for her. The poll also showed that the gap between those who favor Bird and those who oppose her has widened four points since February with the number of "undecided" dropping from 35 to 15 percent.

LOCKYER-WATSON FEUD

(August 20th): Long-simmering warfare erupted in the state Senate when San Leandro Democrat Bill Lockyer accused Los Angeles Democrat Diane Watson of spouting "mindless blather" during a Judiciary Committee hearing on a death penalty proposal. Lockyer chairs the committee. Watson, who is a committee member, left the hearing and threatened to quit Judiciary, although changed her mind after Lockyer apologized. The feud began this past June when Lockyer carried a bill that would have helped developers fight rent control in Marina del Rey, an exclusive section of Watson's district.

KESTERSON THREAT SPREADS

(August 28th): According to a report by the U.S. Geological Survey, selenium pollution from the drainage of farm irrigation water is entering a marsh area known as Grasslands — a sprawling haven for waterfowl around Kesterson National Wildlife Refuge in San Joaquin Valley. The contamination threatens thousands of migratory and resident birds because selenium levels are high enough to bring on the same kind of biological catastrophe that nearly wiped out wildlife in Kesterson. Pollution in Kesterson forced the federal government to phase-out the area as a drainage for pesticide-laced farm irrigation water, thus curtailing irrigation use. Farmers whose lands drain into Grasslands now face the same potential restrictions.

COMPARABLE-WORTH REPORT ISSUED

(September 3rd): An 11-member task force on comparable worth issued a controversial report calling for legislation to require private employers to pay equal wages to men and women who do work of equal value. The report was immediately criticized by business groups, including the California Manufacturers Association and state Chamber of Commerce. A minority report was also issued, calling for an end to sex-based wage discrimination rather than an evaluation of work based on comparable worth. A second minority report, written by task force members appointed by Governor Deukmejian, was also being prepared. The task force was established by the 1983 Legislature and includes representatives of the governor, Legislature and the Commission on the Status of Women.

SEBASTIANI SEEKS STATEWIDE OFFICE

(September 4th): GOP Assemblyman Don Sebastiani of Sonoma announced that he will seek the Republican nomination for lieutenant governor in 1986. Sebastiani, a self-styled maverick, becomes the fourth Republican to declare or express interest in the office. Others include Orange County Supervisor Bruce Nestande, former Lieutenant Governor Mike Curb and state Senator H.L. Richardson (see page 418). Sebastiani, scion of a winemaking family and sponsor of two reapportionment initiatives, punctuated his announcement with an attack on the current lieutenant governor, Leo McCarthy of San Francisco, calling the former Assembly speaker "badly out of step with the majority of California voters."

LOTTERY TO BEGIN OCTOBER 3RD

(September 5th): Governor Deukmejian joined California Lottery Director Mark Michalko at a Capitol news conference to announce that the long-awaited state lottery would begin operations on October 3rd. The first game will be an instant-winner scratch-off variety that costs $1 per ticket and can produce prizes ranging from $2 to $2 million. An estimated 400 million tickets will be available from 20,000 retail outlets on October 3rd. Large promotional events are planned for the start-up, including ticket give-aways.

NEVINS TO RETIRE

(September 5th): Richard Nevins of Pasadena, who has served on the state Board of Equalization for nearly 27 years, announced that he will not seek reelection in 1986. Nevins, a Democrat, represents parts of Los Angeles County on the tax-collecting agency. In his 1970 reelection bid, Nevins defeated Howard Jarvis.

BUSH VISITS CAPITAL

(September 10th): Vice President and Mrs. George Bush kicked off a four-day swing through California with a visit to Sacramento and a luncheon meeting with Governor Deukmejian. Bush toured the restored Capitol building with Deukmejian, pausing beneath the official portrait of former Governor Ronald Reagan. There, both Bush and Deukmejian played down speculation that Bush would run for president in 1988 and chose Deukmejian as his running mate. Some Democratic legislators complained that the vice president met only with GOP lawmakers.

BROWN TO THE RESCUE

(September 10th): The *San Jose Mercury News* reported that Assembly Speaker Willie Brown of San Francisco has privately interceded in a Fair Political Practices Commission investigation of Democratic Assemblyman Frank Vicencia of Bellflower. The paper said that Brown did not intervene personally but dispatched William Cavala, deputy director of the Assembly Office of Majority Services, to persuade FPPC officials that Vicencia did not intentionally violate political reform laws. Vicencia is Assembly speaker pro tempore and a close Brown ally. The FPPC is investigating Vicencia's alleged failure to disclose some personal income received between 1981 and 1983, the paper reported. The *Mercury News* also said that no one connected with the case, including FPPC officials, would comment on the matter.

— A.G. Block

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ROLL CALL

ASSEMBLY

EARPLUGS

AB 522 (O'Connell). Prohibits bicycle riders from wearing radio earplugs in both ears or radio headsets covering both ears. The Highway patrol says too many accidents result from bicycle riders wearing radio headsets. Opponents don't agree that such activity should be made a crime. Passed September 3rd, 57-13.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Condit, Connelly, Cortese, Davis, Duffy, Eaves, Elder, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Papan, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Bradley, Ferguson, Frazee, Grisham, Johnson, La Follette, Lancaster, Leonard, McClintock, Mojonnier, Naylor, Statham, Stirling, Wright.

DEMOCRATS AGAINST: Clute, Farr.

REPUBLICANS AGAINST: Baker, Dennis Brown, Herger, Hill, Konnyu, Lewis, Mountjoy, Rogers, Seastrand, Sebastiani, Wyman.

LIVING WILLS

SB 820 (McCorquodale). Authorizes wills which provide for the withholding of life-sustaining medical procedures in the case of a terminal condition to be effective until revoked. Supporters say this change will simplify the living will procedure. Opponents argue that the present five-year renewal requirement insures periodic re-examination by the maker of the will. Passed September 3rd, 50-19.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Willie Brown, Campbell, Clute, Connelly, Cortese, Davis, Duffy, Eaves, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Bradley, Dennis Brown, Filante, Frazee, Grisham, Johnson, Lewis, Mojonnier, Naylor, Statham, Stirling.

DEMOCRATS AGAINST: Calderon, Chacon, Condit, McAlister.

REPUBLICANS AGAINST: Bader, Baker, Herger, Jones, Kelley, Konnyu, Lancaster, Leonard, McClintock, Mountjoy, Rogers, Seastrand, Sebastiani, Wright, Wyman.

PUBLIC EMPLOYEES

SB 952 (Dills). Allows public employees organizations to have access to an employee's work place during working hours for the purpose of discussing job matters. Supporters say educational employees presently have this access provision. Opponents contend on the job visits would interfere with job performance. Passed August 30th, 42-32.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Tanner, Tucker, Vasconcellos, Maxine Waters, Norman Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: Chacon.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bradley, Dennis Brown, Ferguson, Filante, Frazee, Frizzelle, Grisham, Herger, Hill, Johnson, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

POLITICAL PARTIES

ACA 7 (Mountjoy). Constitutional amendment prohibiting any political party or party central committee from endorsing, supporting or opposing a candidate for non-partisan office. Sponsors contend that political parties should not be involved in non-partisan elections. Opponents disagree. Passed August 29th, 64-10.

DEMOCRATS FOR: Alatorre, Areias, Bane, Bronzan, Willie Brown, Calderon, Chacon, Clute, Condit, Connelly, Cortese, Costa, Duffy, Eaves, Elder, Farr, Hannigan, Harris, Hauser, Hughes, Johnston, Katz, Killea, Margolin, McAlister, Moore, O'Connell, Papan, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Bradley, Felando, Filante, Frazee, Frizzelle, Grisham, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Agnos, Bates, Davis, Floyd, Hayden, Isenberg, Klehs, Molina.

REPUBLICANS AGAINST: Dennis Brown, Leonard.

PAY EQUITY

SB 2 (Roberti). Creates a Commission on Pay Equity to determine where salary and job classification inequities exist between female-dominated and male-dominated jobs in state civil service. Proponents say bill is needed to eliminate discriminatory pay practices in state service. Opponents are opposed to the concept of comparable worth. Passed August 29th, 45-32.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Elder, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: McAlister.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bradley, Dennis Brown, Felando, Ferguson, Frazee, Frizzelle, Grisham, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

WORKFARE

AB 2580 (Konnyu). Major welfare-reform proposal to implement a "workfare" concept involving job placement and job-training assistance to able-bodied welfare recipients. Those voting against bill have specific objects to compromise bi-partisan proposal. Passed August 29th, 69-8.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bronzan, Willie Brown, Calderon, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Elder, Farr, Hauser, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, McAlister, Molina, O'Connell, Peace, Robinson, Roos, Sher, Tanner, Vasconcellos, Vicencia, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Baker, Bradley, Dennis Brown, Felando, Ferguson, Filante, Frazee, Frizzelle, Grisham, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Bates, Campbell, Floyd, Hannigan, Harris, Hayden, Margolin, Maxine Waters.

REPUBLICANS AGAINST: None.

PREGNANT WOMEN

AB 1846 (Margolin). Requires that all pregnant women have equal access to objective information about testing and the diagnosis of neural tube defects and other birth defects. Sponsors argue that the bill gives pregnant women access to neural tube defect testing. Opponents contend the bill would open the door for more abortions if neural tube defects are found. Urgency clause defeated August 26th, 42-32.

DEMOCRATS FOR: Agnos, Alatorre, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Clute, Connelly, Costa, Davis, Duffy, Eaves, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tucker, Vasconcellos, Maxine Waters.

REPUBLICANS FOR: Bader, Filante, Naylor, Statham.

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DEMOCRATS AGAINST: Areias, Chacon, Cortese, McAlister, Vicencia, Norman Waters.
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ATTORNEYS

SB 405 (Boatwright). Increases State Bar dues for all attorneys practicing in-state for 1986 and 1987 and authorizes the Bar to impose a $10 fee for the support of its disciplinary functions. The State Bar contends it needs a dues increase to support operations during the next two years. Some opponents dispute need for an increase and want certain reforms made in Bar operations. Passed August 22nd, 42-30.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Killea, Klehs, Molina, Moore, O'Connell, Papan, Peace, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Norman Waters.
REPUBLICANS FOR: Frizzelle, Naylor, Stirling.
DEMOCRATS AGAINST: Katz, McAlister, Robinson.
REPUBLICANS AGAINST: Allen, Bader, Baker, Bradley, Dennis Brown, Ferguson, Filante, Frazee, Grisham, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Rogers, Seastrand, Sebastiani, Statham, Wright, Wyman.

TAX COLLECTIONS

SB 580 (Vuich). Allocates up to 5 percent of local supplemental property tax revenues collected by counties to cover the costs of administering and collecting the tax. Sponsors say counties need reimbursement for collecting this tax. Critics argue that counties are gaining more net property tax revenue from the supplemental roll than they have in administrative costs, and the state should not further subsidize county costs. Passed August 19th, 45-28.

DEMOCRATS FOR: Agnos, Alatorre, Bates, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Farr, Floyd, Hannigan, Hauser, Hayden, Hughes, Isenberg, Johnston, Klehs, Margolin, McAlister, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.
REPUBLICANS FOR: Herger, Jones, Kelley, Lancaster, McClintock, Statham.
DEMOCRATS AGAINST: Elder, Katz.
REPUBLICANS AGAINST: Allen, Bader, Baker, Bradley, Dennis Brown, Ferguson, Filante, Frazee, Frizzelle, Grisham, Hill, Johnson, Konnyu, La Follette, Leonard, Lewis, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Stirling, Wright, Wyman.

SENATE

ALCOHOLIC CANDY

AB 503 (Stirling). Would increase the alcoholic content of certain truffles, candy and similar liquor-flavored products from .5 to 5 percent. Sponsors say such delicacies are common in other parts of the world and should not be restricted in California. Opponents say liquor-flavored candy and cakes pose a danger to children. Passed August 30th, 21-17.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, Mello, Montoya, Petris, Roberti, Rosenthal, Watson.
REPUBLICANS FOR: Craven, Davis, Maddy, Marks, Morgan.
DEMOCRATS AGAINST: Dills, Foran, Garamendi, McCorquodale, Presley, Torres, Vuich.
REPUBLICANS AGAINST: Bergeson, Beverly, Campbell, Doolittle, Ellis, Nielsen, Richardson, Royce, Russell, Seymour.

PAROLE AUTHORITY

SCA 9 (Boatwright). Constitutional amendment authorizing the governor to deny the parole of convicted murders. Requires voter approval. Author argues that since governor already has the power to pardon or commute prison sentences, giving him the ability to deny parole would balance that power. Critics claim measure would lead to the politicization of the parole process. Passed September 3rd, 27-5.

DEMOCRATS FOR: Ayala, Boatwright, Carpenter, Deddeh, Foran, Leroy Greene, Hart, Lockyer, McCorquodale, Mello, Montoya, Presley, Robbins, Stiern, Torres, Vuich.
REPUBLICANS FOR: Bergeson, Beverly, Campbell, Craven, Davis, Maddy, Marks, Morgan, Royce, Russell, Seymour.
DEMOCRATS AGAINST: Keene, Petris, Roberti, Rosenthal, Watson.
REPUBLICANS AGAINST: None.

CRIMINAL LAWS

AB 1142 (Maxine Waters). Repeals various criminal laws, such as ones prohibiting picketing near a courthouse, loitering or wandering about the streets, making terrorist threats, and outraging public decency. Proponents contend that most of these statutes either have been held unconstitutional by courts or are subject to legal challenge. Opponents disagree that all or only some of these laws should be repealed. Failed August 29th, 18-14.

DEMOCRATS FOR: Alquist, Boatwright, Carpenter, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, Mello, Petris, Robbins, Roberti, Rosenthal, Torres, Watson.
REPUBLICANS FOR: Marks.
DEMOCRATS AGAINST: Ayala, Deddeh, Presley, Stiern.
REPUBLICANS AGAINST: Bergeson, Beverly, Craven, Davis, Doolittle, Ellis, Maddy, Nielsen, Royce, Russell.

STATE EMPLOYEES

AB 814 (Robinson). Provides for mandatory fact-finding between the state and state employees under the state's collective-bargaining law. Supporters contend that two of the four collective-bargaining laws governing public employees have mandatory fact-finding and that it should be extended to state employees. Opponents contend fact-finding can lead to more costly settlements than otherwise would be reached. Passed August 22nd, 21-16.

DEMOCRATS FOR: Alquist, Carpenter, Deddeh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Petris, Robbins, Roberti, Rosenthal, Stiern, Torres, Watson.
REPUBLICANS FOR: Craven.
DEMOCRATS AGAINST: Ayala, Presley, Vuich.
REPUBLICANS AGAINST: Bergeson, Beverly, Campbell, Davis, Doolittle, Ellis, Maddy, Morgan, Neilsen, Richardson, Royce, Russell, Seymour.

STUDENT NEWSPAPERS

AB 1720 (Hauser). Prohibits California State University from penalizing or otherwise prohibiting any student from expressing any editorial position or opinion in a student publication. Proponents say current policy violates the right of free speech. Critics argue against students writing inflammatory, offensive or otherwise objectionable material. Passed August 22nd, 21-18.

DEMOCRATS FOR: Alquist, Ayala, Carpenter, Deddeh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Petris, Robbins, Roberti, Rosenthal, Torres, Watson.
REPUBLICANS FOR: Craven, Marks.
DEMOCRATS AGAINST: Boatwright, Mello, Presley, Stiern, Vuich.
REPUBLICANS AGAINST: Bergeson, Beverly, Campbell, Davis, Doolittle, Ellis, Maddy, Morgan, Nielsen, Richardson, Royce, Russell, Seymour.

PRISONS

SB 904 (Presley). Authorizes state to construct a 3500-bed, medium-security prison and a facility of lesser security in Riverside County and a 1700-bed prison facility in the city of Los Angeles. Sponsors contend this is a compromise proposal for expanding state prison facilities. Opponents do not favor additional facility in Los Angeles. Urgency clause refused adoption, August 22nd, 26-5.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Foran, Garamendi, Leroy Greene, Keene, Lockyer, McCorquodale, Mello, Presley, Stiern, Vuich.
REPUBLICANS FOR: Bergeson, Beverly, Craven, Davis, Ellis, Maddy, Morgan, Richardson, Royce, Russell, Seymour.
DEMOCRATS AGAINST: Dills, Bill Greene, Petris, Torres, Watson.
REPUBLICANS AGAINST: None.

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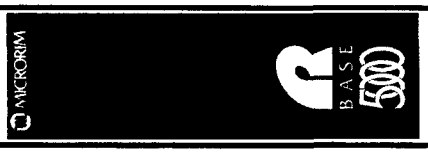
MICRORIM™ Your way. That's Rway.	 **R:Base 5000:** The new database standard for professional programmers; sorts 362% faster than the leading competitor.	$700	$399.00
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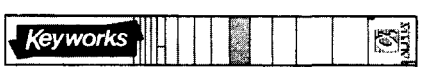
ALPHA SOFTWARE CORPORATION	 **Keyworks:** The keyboard macro program PC WEEK called "wonderful product... miles ahead of its competition...one of the most important products released this year."	$89.95	$62.95

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Perspective from WASHINGTON

By Leo Rennert

Whither the Senate contest?

With more than a year to go before California voters decide whether to give Democrat Alan Cranston a fourth term in the Senate, the contest already has generated more than its share of bizarre and contradictory prognostications. The Republican field is so crowded that awarding anyone front-runner status for the June primary is downright silly. As for pronouncements about Cranston's own prospects, they've followed such a dizzy path that even tentative judgments ought to be hedged quite a bit. Not too long ago, the fashionable view was that Cranston was headed for a fall. More recently, the pendulum swung the other way and the conventional wisdom is that he's about to stun everybody with a Lazarus-like political resurrection. Don't bet the family ings on either scenario, at least not yet. Until the Republicans decide on a challenger and Cranston is put to a real test, the early betting line may be a lot of fun for political junkies, but offers few solid clues.

A YEAR AGO, after his disastrous presidential campaign, there were widespread predictions that Cranston's poor performance in Iowa and New Hampshire would be heavy baggage in his 1986 reelection campaign. To outflank Walter Mondale, Cranston positioned himself as an all-out liberal in the early 1984 delegate-selection contests. By moving to the left, it was felt, he shattered the moderate, centrist image which had earned him broad support from California's electorate. Moreover, Cranston didn't just lose in his bid for the Democratic presidential nomination; he lost big. The first one in, he also was the first one out. The presumed impact of that quixotic episode on the Senate contest was a favorite theme of political columns through much of last year. Democratic challengers were groomed by political consultants who saw an opening to rake in juicy campaign- management fees in a wide-open primary. San Francisco Mayor Dianne Feinstein flirted with the idea of making a run. Even long-time supporters advised the senator that, for the sake of the party, he ought to bow out.

Cranston, however, was not ready to collaborate in drafting his political obituary. Stubbornly, he set out to mend political fences. He spent hours on the phone cajoling contributors to help him retire a huge debt from his presidential campaign and to raise a warchest for 1986. He lined up endorsements from major party leaders and brokers in California. He deftly inched back to the political center and picked up chits campaigning and raising money for other Democrats. Feinstein, with no issues to raise against Cranston, became isolated and folded her tent after realizing that she could only play the role of spoilsport. Cranston suddenly was in the enviable position of heading into 1986 with a free ride in the primary, able to hoard his money and energy for the November campaign while Republicans were setting the stage for a bloody primary contest. Almost overnight, pundits who had counted Cranston out were anointing him as the clear favorite.

The Cranston camp was cheered by a Mervin Field poll in August that gave him a highly positive job-performance rating — six points higher than Republican Senator Pete Wilson's. In matchups with potential GOP adversaries, Cranston led the field with margins of 20 to 30 percentage points. Leaving nothing to chance, he used the congressional summer recess to criss-cross California to lay the groundwork for next year's campaign. In 24 days he covered more than 5000 miles, held 19 community forums and gave five speeches. Rehearsing some themes for 1986, he began to exploit Reagan administration weaknesses, hitting hard at the rising trade deficit. With California's huge stake in high-tech and agricultural exports, Cranston saw an opportunity to score political points with constituencies that tilted toward the Republican side in recent years.

Republicans hope to tag Cranston with a left-wing, big-spender label. However, on Capitol Hill as well as on the hustings, the senator is not pushing many liberal causes or advocating big spending programs. He remains solidly committed to arms control, sanctions against South Africa and opposition to U.S. aid to Nicaraguan insurgents. But on the domestic scene, he has taken a fairly conservative stance by lashing out against crime and budget deficits. He's trying to limit damage from the highly emotional ballot contest over the future of state Chief Justice Rose Bird with a strategy of calculated non-involvement. Cranston argues that the judiciary should not become enmeshed in partisanship and, therefore, he's not endorsing Bird. His campaign strategists are confident Republicans won't succeed in painting him as a leftist zealot. In fact, they predict, Cranston will turn the tables by coming across as a pragmatic centrist fighting off an ideological challenge from the right. "It's the Republicans who are hung up on ideology, not Alan, and that puts him more in line with the real sentiments of California voters," said one top aide.

FOUR REPUBLICANS IN THE HOUSE delegation — Bobbi Fiedler, Dan Lungren, Bill Dannemeyer and Ed Zschau — are, in varying degrees, ready to jump into the contest. But the record of California House members in Senate races is not impressive. Since each represents only about 2 percent of the state, building a wide support base becomes a major problem. Also, campaigning from 3000 miles away creates its own difficulties. At this point, Cranston believes Los Angeles County Supervisor Mike Antonovich would be his strongest opponent. Fiedler, a hawk on military and foreign affairs but a moderate on social issues, also is seen as a potentially serious contender. Another Republican closely watched by Cranston's camp is Los Angeles state Senator Ed Davis. "Davis is an interesting maverick," said a top Cranston adviser. "If the primary were today, he'd win the nomination. But there's no way of predicting how he would do against Alan."

With Republicans and the White House trying to hold on to a slim 53-47 majority in the Senate, California will be a highly expensive national battleground next year. Cranston's age (he will be 72 at election time) and his ability to convince voters that he still has six vigorous years ahead of him remain big question marks. A forceful Republican opponent, running on the theme that California needs a new face in the Senate, could pose a powerful threat. Despite all sorts of "expert" predictions, the race is not over; it has just begun.

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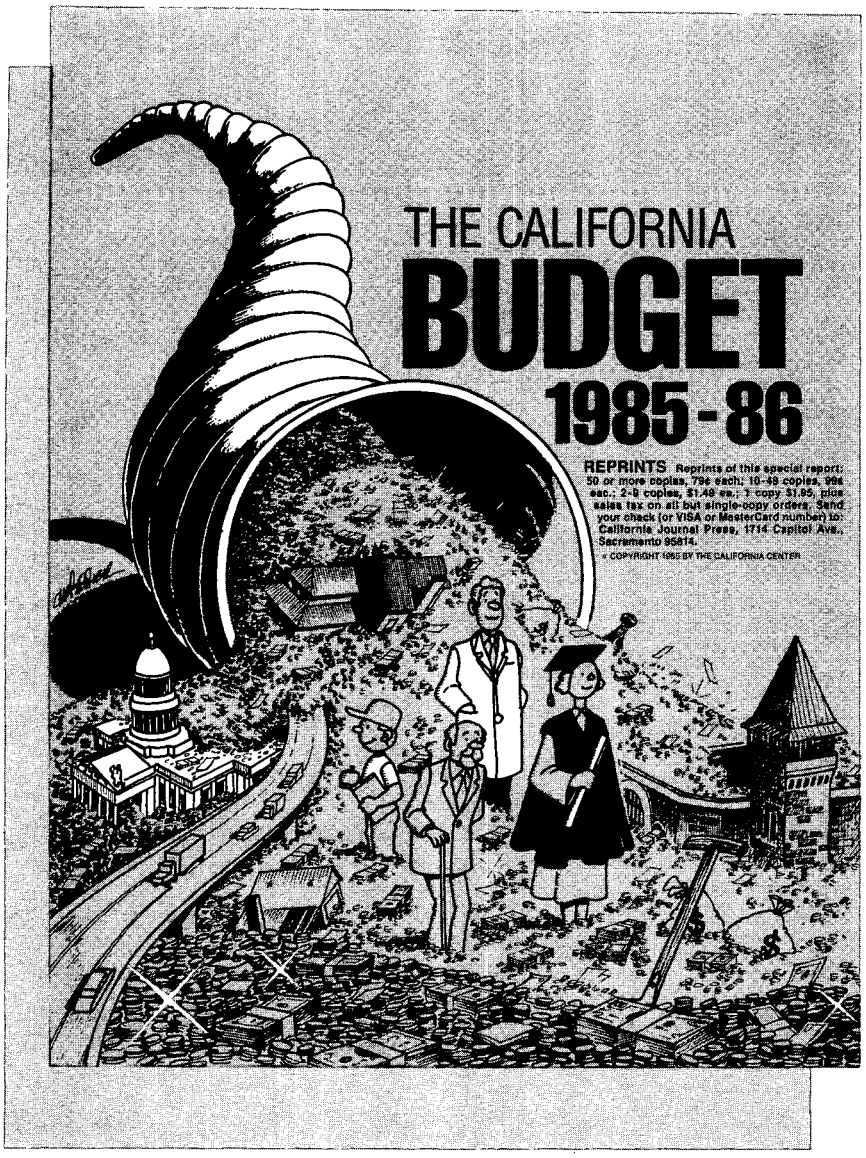
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